



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

William Berg, City Council President

Joseph Merrill, City Clerk

## CITY COUNCIL WORK SESSION AGENDA City Council Work Room, 38 Hawley St, Binghamton Monday November 2, 2015

*The Work Session begins at 6:00pm. Times for RL(s)/Topics are approximate only and items may be considered earlier or later.*

Time	Committee	Chair	RL(s)/Topic	Pages	Presenter
6:00pm	-----	-----	<b>Discussion:</b> Saratoga Apartments Health Center	-----	Dan Lamb, Linda _____, Dave Tanenhaus
6:15pm	Planning	Webb	<b>RL 15-228:</b> Sale of 45 Brook Ave to Mason Rounds	18	Mason & Brandi Rounds, Steve Quinn
6:30pm	-----	-----	<b>Discussion:</b> PLA Update	-----	Jerry Nystrom
6:45pm	-----	-----	<b>Discussion:</b> ESG Funding for YWCA	-----	Carole Coppens
7:00pm	-----	-----	<b>Discussion:</b> CDAC Recommendations <b>Discussion:</b> Draft CAPER	-----	Marty Doorey Steve Carson
7:15pm	Finance	Motsavage	<b>RL 15-223:</b> Transfers in 2015 Parks Budget for Overages & Park Improvements/Maintenance	1-3	Bill Barber
7:30pm	Finance	Motsavage	<b>RL 15-225:</b> Transfer in 2015 JSTP Budget for Repairs to Vehicles	8-10	Charlie Pearsall
7:45pm	Finance -----	Motsavage -----	<b>RL 15-226:</b> Amending 2015 Tax Roll for 2 Hawley St <b>Discussion:</b> New Assessment for 5 Riverside Towers	11-15 -----	Scott Snyder
8:00pm	Finance	Motsavage	<b>RL 15-227:</b> Transfer in 2015 Public Works Budget for Hot Mix & Thermal Plastic Rings	16-17	Terry Kellogg
	Finance	Motsavage	<b>RL 15-213:</b> Agreement with McFarland Johnson for State St Pedestrian/Street Scape Improvements Project	19-91	
8:15pm	Planning	Webb	<b>RL 15-224:</b> Amending Chapter 410 regarding Electric Vehicle Charging Stations	4-7	Jared Kraham
8:30pm	-----	-----	<b>Discussion:</b> Review of Committee Reports & Pending Legislation	-----	Council President Berg

### COMMITTEE REPORTS



# Legislative Branch

RL Number:

15-223

Date Submitted:

10/21/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

*Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.*

### Applicant Information

Request submitted by: William M. Barber

Title/Department: Commissioner of Parks & Recreation

Contact Information: 772-7017

### RL Information

Proposed Title: Request for a Transfer of funds

An Ordinance to Amend the 2015 Parks Budget to...

Suggested Content: To cover overages mainly due to one extra week during the Summer of 2015, ie; lifeguards, carousel operators and spray pad attendants. Costs for park improvements/maintenance through the end of 2015

### Additional Information

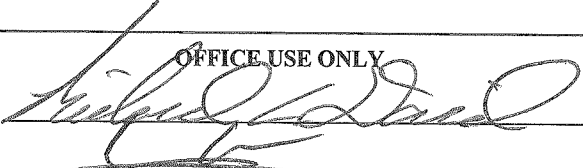


Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☐

Is additional information related to the RL attached? Yes ☐ No ☒

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s):

OFFICE USE ONLY	
Mayor:	
Comptroller:	
Corporation Counsel:	
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



# CITY OF BINGHAMTON

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

## REQUEST FOR TRANSFER OF FUNDS

*Transfer requests of \$2500 or less must be approved by the Comptroller.*

*Transfer requests over \$2500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.*

*Transfer requests in excess of \$10,000 must be approved by City Council.*

City Comptroller  
c/o Board of Estimate and Apportionment  
38 Hawley Street  
Binghamton, NY 13901

Date: 10/20/15

I respectfully request the below described transfer of funds due to the following reasons:

Transfer funds to cover overages mainly due to one extra week during the Summer of 2015, ie;

lifeguards, carousel operators and spray pad attend. Costs for park impr./maint. to end of 2015.

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A7620.51800 temp. serv.	A7180.51800 temp. serv.	\$6,750 ✓
A7110.51000 park maint. serv.	A7110.54640 park impr./maint.	\$500 ✓

I do hereby certify that the funds will not be needed in the budget line from which I am requesting this transfer to be made.

OVER →

Signature: \_\_\_\_\_

*John Parker*

Date: 10-20-2015

### OFFICE USE ONLY

I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller.

Signature: \_\_\_\_\_

*RL*

Date: 10.20.15

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter 9, *Appropriations*. Certified by the Treasurer.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Transfer of funds **APPROVED** ☐ / **DENIED** ☐ on \_\_\_\_\_. Certified by the Secretary of the Board of Estimate and Apportionment.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A7110.51000 park maint. serv.	A7140.51800 temp. services	\$ 7,750.00 ✓
A7110.51000 park maint. serv.	A7140.51900 overtime	\$ 37.50 ✓





# Legislative Branch

RL Number:

15-224

Date Submitted:

10/22/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

*Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.*

### Applicant Information

Request submitted by: Jared M. Kraham

Title/Department: Office of the Mayor

Contact Information: x 7001

### RL Information

Proposed Title: An Ordinance amending Chapter 410, Zoning, of the Code of the City of Binghamton, to incorporate definitions and regulations for electric vehicle (EV) charging stations.

Suggested Content: To be drafted by Corporation Counsel.

### Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☐ No ☒

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): \_\_\_\_\_

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input type="checkbox"/>	Planning <input type="checkbox"/>
MPA <input type="checkbox"/>	PW/Parks <input type="checkbox"/>
Employees <input type="checkbox"/>	Rules/Special Studies <input type="checkbox"/>

## ELECTRIC VEHICLE CHARGING STATION ZONING AMENDMENT

§ 410-5. Terms defined. [Amended 3-2-09 by Ord. No. 9-2009; Amended 7-20-09 by Ord. No. 23- 2009; Amended 12-21-2011 by Ord. No. 11-51; Amended 8-7-2013 by Ord. No. 13-49; Amended M-D-2015 by Ord. No. 15-##]

As used in this chapter, the following terms shall have the meanings indicated:

ELECTRIC VEHICLE CHARGING STATION-- a public or private parking space that is served by battery charging equipment with the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle. For Electric Vehicle Charging Stations operating as a primary commercial use for retail to the public, see "AUTOMOBILE FUEL STATION."

AUTOMOBILE FUEL SERVICE STATION-- Any establishment dispensing motor vehicle fuel from underground storage tanks, pipes, compressors, batteries or electrical transmission facilities, into vehicles including, but not limited to, gasoline, diesel fuel, Gasohol, hydrogen, compressed natural gas, electricity or any combination thereof A place where gasoline or any other automobile engine fuel (stored only in underground tanks), kerosene, motor oil, lubricants, grease (for operation of motor vehicles), or retailing minor accessories retailed directly to the public on the premises and where the servicing or minor mechanical repair of automobiles, or installation of mufflers or other specialty items, may occur. Automobile service stations shall not include sale or storage of automobiles or trailers, new or used. The facility must be licensed by the New York State Department of Motor Vehicles.

§ 410-27. Schedule I: Land Uses in Residential Zoning Districts. [Amended 3-2-09 by Ord. No. 9- 2009; Amended 8-7-2013 by Ord. No 13-49; Amended M-D-2015 by Ord. No. 15-##]

The following uses are permitted in residential zoning districts:

A. R-1 Residential Single-Unit Dwelling District.

(1) Permitted by right, subject to Article IX

(b) Accessory uses:

Electric Vehicle Charging Station subject to 410.29W

B. R-2 Residential One- and Two-Unit Dwelling District.

(1) Permitted by right, subject to Article IX

(b) Accessory uses:

Electric Vehicle Charging Station subject to 410.29W

C. R-3 Residential Multi-Unit Dwelling District.

(1) Permitted by right, subject to Article IX

(b) Accessory uses:

Electric Vehicle Charging Station subject to 410.29W

**§ 410-29. Special conditions for certain land uses in residential districts. [Amended 3-2-09 by Ord. No. 9-2009; Amended 8-7-2013 by Ord. No 13-49; Amended M-D-2015 by Ord. No. 15-##]**

Land uses listed in Schedule I as being "Permitted or "Permitted with Planning Commission approval" shall not be considered permitted until the Supervisor of the Office of Building and Construction or the Planning Commission is satisfied that there is compliance with applicable conditions as set forth below.

W. An Electric Vehicle Charging Station in the R-1, R-2 and R-3 districts is permitted when:

- (1) If located in a private residential lot, the charging station is located within a legal garage or carport
- (2) If located in an ancillary, public or commercial parking lot or garage, the charging station shall be:
  - (a) illuminated during evening business hours
  - (b) located in a legal parking space reserved exclusively for electric vehicles
- (3) The charging station has complete instructions and appropriate warnings posted in an unobstructed location on or adjacent to the charging station

**§ 410-32. Schedule II: Land Uses in Commercial and Industrial Zoning Districts. [Amended 8-7- 2013 by Ord. No 13-49; Amended 10-23-2013 by Ord. No 13-77; Amended M-D-2015 by Ord. No. 15-##]**

A. C-1 Service Commercial District

3) Permitted with Planning Commission approval, pursuant to Article VIII (special use permit and Series A site plan):

Automobile ~~service~~ fuel station, subject to 410-41A(7)

D. C-4 Neighborhood Commercial District.

(1) All uses listed in the R-3 District except townhouses: See Schedule I for the type of review required

Automobile ~~service~~ fuel station, subject to 410-41A(7)

H. I-2 Light and Medium Industrial District.

Automobile ~~service~~ fuel station, subject to 410-41A(7)

I. I-3 Heavy Industrial District

Automobile ~~service~~ fuel station, subject to 410-41A(7)

**§ 410-53. Off-street parking requirements by land use. [Amended 8-7-2013 by Ord. No 13-49; Amended M-D-2015 by Ord. No. 15-##]**

Required spaces. The minimum number of off-street parking spaces required for land uses or activities permitted by this chapter shall be as set forth in Schedule III, which is hereby adopted and made part of this article.

G. Every parking space served by an electric vehicle charging station shall count as 2 parking spaces when calculating the minimum parking requirement for a land use.

G. F. Schedule III

<del>Gasoline, convenience market</del>	<del>1.00 space per 200 square feet of gross floor area, plus 1.00 space per pump island</del>
<del>Gasoline filling station</del>	<del>1.00 stacking space, plus 1.00 space per employee on busiest shift</del>
<u>Automobile fuel station, convenience store</u>	<u>1.00 space per 500 square feet of gross retail floor area, plus 1.00 space per fuel pump island, plus 1.00 space per 4 EV charging stations</u>
<u>Automobile fuel station</u>	<u>1.00 stacking space, plus 1.00 space per fuel pump island, plus 1.00 space per 4 EV charging stations</u>



# Legislative Branch

RL Number:

15-225

Date Submitted:

10/23/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

*Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.*

### Applicant Information

**Request submitted by:** Binghamton-Johnson City Joint Sewage Board

**Title/Department:** Charlie Pearsall, Business Manager

**Contact Information:** cpearsall@stny.rr.com, 607-217-5429

### RL Information

**Proposed Title:** Transfer to cover 2015 Budget additional appropriation needed in Vehicle

Repair line

**Suggested Content:** The Binghamton-Johnson City Joint Sewage Board requests the Owners transfer \$10,000 from 2015 Budget line J8130.54150 Chemicals and to line J8130.54450 Vehicle Repairs to cover additional expenses for 2015 operations.

### Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☐

Is additional information related to the RL attached? Yes ☒ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☐

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): \_\_\_\_\_

### OFFICE USE ONLY

**Mayor:** \_\_\_\_\_

**Comptroller:** \_\_\_\_\_

**Corporation Counsel:** \_\_\_\_\_

Finance ☒ Planning ☐ MPA ☐ PW/Parks ☐ Employees ☐ Rules/Special Studies ☐

**REQUEST FOR LEGISLATION  
TO THE  
BOARD OF TRUSTEES  
OF THE  
VILLAGE OF JOHNSON CITY**

Requested by: Binghamton-Johnson City Joint Sewage Board  
Title & Department, if applicable: POC: Charlie Pearsall, Business Manager  
Address: 4480 Vestal Road  
Vestal, NY 13850  
Telephone: 765-6870 (cell)

**SUGGESTED TITLE:** Transfer to cover additional expenses for Vehicle Repair in 2015 Budget

**PURPOSE OF LEGISLATION:** Currently there are insufficient available appropriations to cover the latest estimate for repairs to plant vehicles.

**SUGGESTED CONTENT:** The Binghamton-Johnson City Joint Sewage Board requests the Owners pass legislation to increase the appropriations in the budget line J8130.54450 Vehicle Repairs and lower the appropriation on line J8130.54150 Chemicals by the same amount.



Binghamton-Johnson City  
JOINT SEWAGE BOARD



Eugene Hulbert, Sr.  
Gary Holmes  
Edward Crumb

Stephen Andrew  
George Kolba, Jr.  
Ron C. Davis

**CERTIFICATE OF RESOLUTION OF THE  
BINGHAMTON-JOHNSON CITY JOINT SEWAGE BOARD REGARDING:  
TRANSFER OF MONIES OUT OF CHEMICAL LINE  
INTO VEHICLE REPAIR**

I, Michele Cuevas, Confidential Secretary of the Binghamton-Johnson City Joint Sewage Board, DO HEREBY CERTIFY that, at the regular meeting of the Binghamton-Johnson City Joint Sewage Board held on September 8, 2015, duly convened and a quorum being present and participating throughout the subject action set forth below, the following RESOLUTION was duly adopted on motion duly made, seconded, and carried, which RESOLUTION remain in full force and effect:

Board Members present:

George Kolba, Jr., (Chairman), Eugene Hulbert, Sr., Edward Crumb, Stephen Andrew and Ronald Davis

Motion made by Edward Crumb to transfer \$10,000.00 from J8130.54150 (Chemicals) to J8130.54450 (Vehicle Repair)  
Seconded by Stephen Andrew.

Motion carried: 5 ayes, 0 nays, 1 absent (GH)

I HEREBY CERTIFY that the foregoing is a true and complete copy of the resolution duly adopted at the aforesaid meeting of the Joint Sewage Board in accordance with the provisions of said Board's By-Laws, that the resolution has not in any way been rescinded or annulled, and that the resolution is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand as Confidential Secretary of the Joint Sewage Board, this 23<sup>th</sup> day of October, 2015.

Michele Cuevas

Michele Cuevas

Confidential Secretary, Joint Sewage Board

ATTEST:

Charles Pearsall

Business Manager, Joint Sewage Board

Catherine P. Young, Superintendent  
Binghamton-Johnson City Joint Sewage Treatment Facilities  
4480 Vestal Road, Vestal, New York 13850  
Phone: 607-729-2975 Fax: 607-729-3041  
Email: bjcwwtp@stny.rr.com



# Legislative Branch

RL Number:

15-226

Date Submitted:

10/23/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

*Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.*

### Applicant Information

Request submitted by: Scott J. Snyder  
Title/Department: Assessor/Assessment Department  
Contact Information: (607) 772-7002

### RL Information

Proposed Title: Request to amend the 2015 Tax Roll

Suggested Content: Change exemption amount for 2 Hawley St. Parcel # 160.48-2-1.  
485b exemption should have been \$105,000 not \$90,000

### Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☒ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): \_\_\_\_\_

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>





NEW YORK STATE DEPARTMENT OF TAXATION & FINANCE  
OFFICE OF REAL PROPERTY TAX SERVICES

RP-556 (1/06)

APPLICATION FOR REFUND AND CREDIT OF REAL PROPERTY TAXES  
FOR THE YEAR(S) 20 15

**Part 1:** To be completed in duplicate by Applicant. For refund or credit of real property tax, submit both copies to County Director of Real Property Tax Services (in Nassau and Tompkins Counties, submit to Chief Assessing Officer), or in a village which has retained its assessing unit status, submit to the village assessor or chairman of village board of trustees. The application must be submitted within three years of the annexation of the warrant for the collection of such tax. For an "unlawful entry" as defined in Sec. 550(7)(a) of the Real Property Tax Law, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll. (See definitions on reverse side).

Arena Hotel Corp

1a. Name of Owner  
2 Hawley Street

Binghamton NY 130901

1b. Mailing Address

1c. E-mail Address (optional)

Day ( )

Evening ( )

2. Telephone Number

3. Parcel Location (if different than 1b.)

4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. 00000800872  
(as appears on tax bill)

6a. Amount of taxes paid or payable

6b. Date of payment (if paid)

7. I hereby request a refund or credit of real property taxes levied for the year(s) 2015  
for the following reasons (use additional sheets if necessary):  
485b exemption should have been \$105,000 not \$90,000

by CITY OF BINGHAMTON  
(Tax levying body)

\* Insert name of village, county, city, school district; town in Westchester County

10/19/5015

Date

Signature of Applicant

**PART II:** For use by COUNTY DIRECTOR, VILLAGE ASSESSOR: Attach written report including documentation and recommendation (Include type of error as defined in Sec. 550)

Date application received: 10-19-15

Date warrant annexed: 11-15

Last day for collection of taxes without interest:

Recommendation:

☒ Approve application\*

☐ Deny Application

10-19-15  
Date

Signature of Official

\* ☐ If box is checked, this copy is for assessor and board of assessment review of city/town/village of \_\_\_\_\_ which are to consider attached report and recommendation as equivalent of petitions filed pursuant to section 553.

**PART III:** For use by TAX LEVYING BODY or OFFICIAL DESIGNATED BY RESOLUTION

(Insert Number or Date)

APPLICATION APPROVED (Check reason)

☐ Clerical error

☐ Unlawful entry

☐ Error in essential fact

Amount of taxes paid: \$

Amount of taxes due: \$

Amount of refund or outstanding tax to be credited: \$

APPLICATION DENIED Reason:

Date

**Real Property Tax Law, Section 550(2):**

A "clerical error" means:

- (a) an entry of assessed value on the tax roll which differs from the entry for the same parcel on the property record card, field book or other final work product of the assessor, or the final verified statement of the board of assessment review due to an error in transcription;
- (b) a mathematical error in the computation of a partial exemption;
- (c) an incorrect entry due to failure of the assessor to act on a partial exemption;
- (d) an arithmetical error in the computation or extension of the tax;
- (e) an incorrect entry due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district;
- (f) a duplicate entry of the description or assessed valuation, or both, of an entire single parcel;
- (g) an entry on a tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor
- (h) an incorrect entry on a tax roll of a relieved school tax or relieved village tax which has been previously paid; or
- (i) an entry on a tax roll which is incorrect by reason of a mistake in transcription of a relieved school tax or relieved village tax.

**Real Property Tax Law, Section 550(3):**

An "error in essential fact" means:

- (a) the assessment of an improvement destroyed or removed prior to taxable status date;
- (b) the assessment of an improvement not in existence or present on a different parcel;
- (c) an incorrect entry of acreage which was considered by the assessor in valuing the parcel and which resulted in an incorrect assessed valuation, where such acreage is shown to be incorrect on a survey submitted by the applicant;
- (d) (e) [not applicable to refunds]; or
- (f) misclassification of a parcel in an approved assessing unit which is exclusively used for either residential or non-residential purposes.

**Real Property Tax Law, Section 550(7):**

An "unlawful entry" means:

- (a) an assessment of wholly exempt property on the taxable portion of the assessment roll;
- (b) an assessment of real property located entirely outside the boundaries of the assessing unit, the school district, or the special district in which the real property is designated as being located;
- (c) an entry made by a person or body without the authority to make such entry;
- (d) an assessment of taxable state land which exceeds the assessment as approved by the Office of Real Property Tax Services; or
- (e) an assessment of special franchise property which exceeds the final assessment as made by the Office of Real Property Tax Services or the full value of that special franchise as determined by the Office of Real Property Tax Services adjusted by the final state equalization rate established by the Office of Real Property Tax Services for the assessment roll upon which that value appears.

Refunds:

When an application concerns a tax that has already been paid, and the application is approved, the applicant is entitled to a refund of the overpayment.

Credits:

When an application concerns a tax that has not yet been paid, and the application is approved, the applicant is entitled to a credit reducing the amount of the outstanding tax. The corrected tax must be paid with the interest and penalties that have accrued up to that point, but no additional interest and penalties shall be imposed if the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part II of this form). The interest and penalties on the ~~unpaid~~ <sup>unpaid</sup> portion of the tax are cancelled.

**Tax Year 2015 (Last Update: 8/11/2015)****City of Binghamton****Wendy Gates, Broome County Receiver of Taxes (607) 778-2309****Mail pyts to: PO Box 2087, Dept BNG, Binghamton NY 13902****PAYMENTS MADE AFTER AUGUST 1 ARE NOT REFLECTED ON THIS SITE.****Property Info****Property Address:**

2 Hawley St

**Account #:**

00000800872

**SWIS Code:**

030200

**Owner:**

Arena Hotel Corp

**Bill #:**

159571

**School Code:**

030200

2 Hawley St

Binghamton NY 13901-3103

**Tax Map #:**

160.48-2-1

**School District:****Payment History**

(Payments made to the county directly may not be reflected on this site.)

Date	Comments	Amount	Paid By
01/01/2015	Tax Bill	\$211,875.02	
01/31/2015	Payment	(\$105,937.51)	0000901
07/08/2015	Payment	(\$105,937.51)	0000901

**Tax Due: \$0.00 \***

\* Does not include penalties or fees, if any.

**Levy Details**

Levy Description	Tax Value	Tax Rate	Tax Amount
County Services	4205500.00	8.957851	\$37,672.24
City Tax	4115500.00	42.328461	\$174,202.78

**Total Tax: \$211,875.02**

**Other Tax Bills For This Property**

<b>Jurisdiction</b>	<b>Total Tax</b>	<b>Tax Due</b>
<b>Binghamton City School</b>	<b>\$167,025.93</b>	<b>\$111,350.62</b>



# Legislative Branch

expedite

RL Number:

15-227

Date Submitted:

10/28/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

*Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.*

### Applicant Information

Request submitted by: Terry Kellogg

Title/Department: Commissioner/Public Works

Contact Information: tjkellogg@cityofbinghamton.com

### RL Information

Proposed Title: An ordinance authorizing a transfer in the Department of Public Works budget to cover the cost of hot mix & thermal plastic rings

Suggested Content: Permission to transfer \$15,000 from budget line A5182.54444-Street Lighting to budget line A5110.54130-Construction Material

### Additional Information



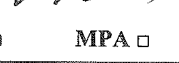
Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☐ No ☒

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s):

OFFICE USE ONLY	
Mayor:	
Comptroller:	
Corporation Counsel:	
Finance <input checked="" type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



# CITY OF BINGHAMTON

City Hall, 38 Hawley Street, Binghamton, NY 13901 607-772-7005

## REQUEST FOR TRANSFER OF FUNDS

*Transfer requests of \$2500 or less must be approved by the Comptroller.*

*Transfer requests over \$2500 and not in excess of \$10,000 must be approved by Board of E&A and Chair of Finance Committee.*

*Transfer requests in excess of \$10,000 must be approved by City Council.*

City Comptroller  
c/o Board of Estimate and Apportionment  
38 Hawley Street  
Binghamton, NY 13901

Date: 10/27/2015

I respectfully request the below described transfer of funds due to the following reasons:  
to cover the cost of hot mix & thermal plastic rings

From Budget Line (No. and Title)	To Budget Line (No. and Title)	Total Transfer Amount
A5182.54444 Street Lighting	A5110.54130 Construction Material	\$15,000.00

I do hereby certify that the funds will not be needed in the budget line from which I am requesting this transfer to be made.

Signature: \_\_\_\_\_

Date: 10/27/2015

### OFFICE USE ONLY

I hereby certify that the above funds are unencumbered and available for Transfer. Certified by the Comptroller.

Signature: \_\_\_\_\_

Date: 10/27/2015

I hereby certify that the above described funds have been transferred, in accordance with the Code of the City of Binghamton Chapter 9, *Appropriations*. Certified by the Treasurer.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Transfer of funds ☒ APPROVED ☐ DENIED on 10/28/15. Certified by the Secretary of the Board of Estimate and Apportionment.

Signature: \_\_\_\_\_

Date: 10/28/15

Transfer of funds reviewed by the Binghamton City Council Finance Chair. Recommendations to be attached.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



# Legislative Branch

RL Number:

15-228

Date Submitted:

10/28/15

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

*Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.*

### Applicant Information

Request submitted by: Steve Quinn

Title/Department: Housing Program Supervisor

Contact Information: srquinn@cityofbinghamton.com / 772-7240

### RL Information

Proposed Title: Restore NY 2 One Dollar Healthy Home Initiative

An Ordinance Authorizing the Mayor Sale of 45 Brook Ave.  
to Mason Rounds for \$1.00

Suggested Content: Request City Council approval for the sale of Restore NY 2 Property

at 45 Brook Avenue. to Mason Rounds for \$1.00 as part of the One Dollar Healthy Home Initiative.

### Additional Information

Does this RL concern grant funding? Yes ☐ No ☒

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☒

Is additional information related to the RL attached? Yes ☐ No ☒

Is RL related to previously adopted legislation? Yes ☐ No ☒

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s): \_\_\_\_\_

OFFICE USE ONLY	
Mayor:	<u>[Signature]</u>
Comptroller:	<u>[Signature]</u>
Corporation Counsel:	<u>[Signature]</u>
Finance <input type="checkbox"/>	Planning <input checked="" type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



# Legislative Branch

RL Number:

15-213

Date Submitted:

11/2/15

Revised

City Clerk, City Hall, Binghamton, NY 13901 607-772-7005

## REQUEST FOR LEGISLATION

Requests for Legislation (RLs) may be submitted to the City Clerk's Office for consideration at City Council Work Sessions. RLs generated from within City Hall departments must be submitted to the Mayor, Comptroller and Corporation Counsel for review before submission. RLs generated by citizens may be submitted directly to the City Clerk's Office.

### Applicant Information

Request submitted by: Terry Kellogg

Title/Department: Commissioner/Public Works

Contact Information: tjkellogg@cityofbinghamton.com

### RL Information

Proposed Title: Design Services with McFarland Johnson for additional design services on the State St Pedestrian/Street Scope Improvements Project, Pin No. 9009.36

A Resolution Authorizing the Mayor to enter into an Agreement --

Suggested Content: To enter into a Supplemental Agreement for additional design services on the State St Pedestrian/Street Scope Improvement Project, PIN No. 9009.360, in the amount of

\$138,843.00. Preliminary design is \$75,187.00 and final design is \$63,656.00. Funding is available in budget line H5110.525163.21815. This amount will be reimbursed to the City with Federal money.

### Additional Information

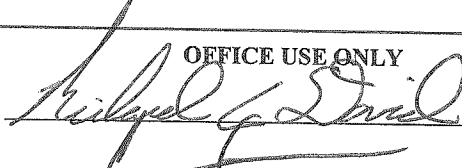


Does this RL concern grant funding? Yes ☐ No ☐

If 'Yes', is the required RL Grant Worksheet attached? Yes ☐ No ☐

Is additional information related to the RL attached? Yes ☒ No ☐

Is RL related to previously adopted legislation? Yes ☐ No ☐

If 'Yes', please provide Permanent Ordinance/Resolution/Local Law number(s):

OFFICE USE ONLY	
Mayor:	
Comptroller:	
Corporation Counsel:	
Finance <input type="checkbox"/>	Planning <input type="checkbox"/> MPA <input type="checkbox"/> PW/Parks <input type="checkbox"/> Employees <input type="checkbox"/> Rules/Special Studies <input type="checkbox"/>



## **Base Scope of Services**

### **Prepared for:**

**City of Binghamton**  
**Department of Engineering**  
City Hall, Government Plaza  
Binghamton, NY 13901-3776

### **Describing Services for:**

PIN 9009.36, State Street Pedestrian/Streetscape Improvements  
City of Binghamton  
State Street/Hawley Street Intersection

**10/7/15**



# **McFarland Johnson**

## Table of Contents

	Base Task List	Pages
Section 1	General	3-6
Section 2	Data Collection & Analysis	7-10
Section 3	Preliminary Design	11-13
Section 4	Environmental	14-15
Section 5	Right-of-Way	16
Section 6	Detailed Design	17-18
Section 7	Advertisement, Bid Opening and Award	19
Section 8	Construction Support	20
Section 9	Construction Observation	21
Section 10	Estimating & Technical Assumptions	22-24

## Section 1 - General

### 1.01 Project Description and Location

Project Name: State Street Pedestrian/Streetscape Improvements, City of Binghamton

PIN: 9009.36

**Project Description:** State Street Pedestrian/Streetscape Improvements. State Street and Hawley Street intersection improvements.

**Project Limits:** The limits at the State Street/Hawley Street intersection shall extend along State Street a distance of approximately 1200 feet south and along Hawley Street 285 feet West/215 feet east.

**Sponsor:** City of Binghamton

**County:** Broome

The anticipated start date of design is October 2015.

The letting date is August 2016.

The construction completed date is November 2016.

The anticipated preliminary design costs are approximately \$75,187.

The anticipated final design costs are approximately \$63,656.

The anticipated construction cost is approximately \$773,000 based on preliminary cost estimate included with the scope of services.

### 1.02 Project Manager

The **Sponsor's** Project Manager for this project is:

Name: Terry J. Kellogg

Phone #: 607-772-7021

Email: [tjkellogg@cityofbinghamton.com](mailto:tjkellogg@cityofbinghamton.com)

All correspondence to the **Sponsor** should be addressed to:

City of Binghamton  
Commissioner of Public Works  
City Hall, 38 Hawley Street  
Binghamton, NY 13901

The **Sponsor's** Project Manager should receive copies of all project correspondence directed other than to the **Sponsor**.

### 1.03 Project Classification

This project is assumed to be a Class (II) action under USDOT Regulations, 23 CFR 771.

Classification under the New York State Environmental Quality Review Act (SEQRA) Part 617, Title 6 of the Official Compilation of Codes, Rules, and Regulations of New York State (6 NYCRR Part 617) is assumed to be Unlisted.

### 1.04 Categorization of Work

Project work is generally divided into the following sections:

Section 1	General
Section 2	Data Collection & Analysis
Section 3	Preliminary Design
Section 4	Environmental (Not Used)
Section 5	Right-of-Way
Section 6	Detailed Design
Section 7	Advertising, Bid Opening and Award
Section 8	Construction Support
Section 9	Construction Inspection
Section 10	Estimating & Technical Assumptions

When specifically authorized in writing to begin work the **Consultant** will render all services and furnish all materials and equipment necessary to provide the **Sponsor** with reports, plans, estimates, and other data specifically described in Sections 1, 2, 3, 4, 5, 6, 7, 8, and 10.

### 1.05 Project Familiarization

The **Sponsor** will provide the **Consultant** with the following information (as available):

- Approved project initiation document (Initial Project Proposal or similar documentation) indicating project type, project location, cost estimate, schedule, and fund source(s).
- Traffic data.
  - AM and PM turning movement volumes for all approaches at State/Hawley Street intersection.
  - Pedestrian volumes and movements at State/Hawley Street intersection.
  - Bicycle volumes and movements at State/Hawley Street intersection.
- Accident records and history.
- Record as-built plans.
- Available project studies and reports.
- Other relevant documents pertaining to the project.
- Existing ROW Data (electronic files of ROW and Easement Maps)

The **Consultant** will become familiar with the project before starting any work. This includes a thorough review of all supplied project information and a site visit to become familiar with field conditions.

## 1.06 Meetings

The **Consultant** will prepare for and attend all meetings as directed by the **Sponsor's** Project Manager. Meetings may be held to:

- Discuss all project issues, objectives, etc. with **Sponsor** ( a "kick-off" meeting)
- Present, discuss, and receive direction on the progress and scheduling of work in this agreement.
- Present, discuss, and receive direction on project specifics.
- Discuss and resolve comments resulting from review of project documents, advisory agency review, and coordination with other agencies.
- Manage subconsultants and subcontractors.

The **Consultant** will be responsible for the preparation of all meeting minutes; the minutes will be submitted to meeting attendees within one (1) week of the meeting date.

## 1.07 Cost and Progress Reporting

For the duration of this contract, the **Consultant** will prepare and submit to the **Sponsor** on a monthly basis a Progress Report in a format approved by the **Sponsor**. The Progress Report must contain the Cost Control Report. The beginning and ending dates defining the reporting period must correspond to the beginning and ending dates for billing periods, so that this reporting process can also serve to explain billing charges. (In cases where all work under this contract is officially suspended by the **Sponsor**, this task will not be performed during the suspension period).

## 1.08 Policy and Procedures

The design of this project will be progressed in accordance with the current version of the *NYSDOT Procedures for Locally Administered Federal Aid Projects (PLAFAP) Manual*, including the latest updates.

## 1.09 Standards & Specifications

The project will be designed and constructed in accordance with the current edition of the NYSDOT Standard Specifications for Construction and Materials, including all applicable revisions.

## 1.10 Subconsultants

The **Consultant** will be responsible for:

- Coordinating and scheduling work, including work to be performed by subconsultants.
- Technical compatibility of a subconsultant's work with the prime **Consultant's** and other subconsultants' work.

The following Subconsultants are included in the project:

Prudent Engineering (Survey and Mapping)  
Saratoga Associates (Streetscape/Landscaping)  
C.T. Male (Asbestos Screening existing Pedestrian Bridge)

#### **1.11 Subcontractors**

Procurement of subcontractors must be in accordance with the requirements set forth in the *NYS DOT PLAFAP Manual*.

## Section 2 - Data Collection & Analysis

### 2.01 Design Survey

#### A. Ground Survey

The **Consultant** will provide terrain data required for design by means of a topographic field survey.

A complete topographic survey will be performed in accordance with the standards set forth in the "Locally Administered Federal Aid Procedures Manual"

The topographic survey & mapping to be completed lay within the area shown on Figure 1 attached and generally are limited to the back edge of sidewalks and will include all pavement markings, details on the pedestrian bridge and subsurface & overhead utilities; vaults (sidewalk areaways) will be sketched and details provided by others for inclusion in the mapping,. Show ROW from tax map data.

The **Consultant** will contact the utility companies to obtain any plans they might have for their utilities within the project area, and request a stakeout if possible. All utilities visible or marked in the field by others will be located. Any underground features, not visible or not marked in the field, will be plotted by use of as-built maps and/or any other available information.

#### B. Stream Survey (Not used)

#### C. Survey of Wetland Boundaries (Not Used)

#### D. Supplemental Survey

The **Consultant** will provide supplemental survey when needed for design purposes and to keep the survey and mapping current. Assume 1 day of supplemental survey & office time.

#### E. Standards

Project control will conform to the standards set forth in the current NYSDOT Land Surveying Standards and Procedures Manual and in accordance with local standards described in Section 10 of the SOS.

Horizontal project control

- All horizontal coordinates will be State Plane Coordinate System based on North American Datum of 1983 (NAD 83). This will be accomplished through the use of RTK GPS equipment, no additional horizontal adjustment will be needed.

Vertical project control

- Elevations will be based on North American Vertical Datum of 1988 (NAVD88)

## 2.02 Design Mapping

The **Consultant** will provide the following design mapping:

1" = 20'-0" scale mapping with a 1 foot contour interval will be progressed in English units with 11x17 deliverables for all plan submittals. The project will be completed using the current version of Microstation.

The **Consultant** will provide supplemental mapping when needed for design purposes and to keep the mapping current. (see 2.01D)

A **survey control plan** will include the following: general location plan, Baseline plot, general overview of the project, Baseline tie diagrams, benchmark listing.

A minimum of **3 benchmarks** will be required for the project.

## 2.03 Determination of Existing Conditions

The **Consultant** will determine, obtain or provide all information needed to accurately describe in pertinent project documents the existing conditions within and adjacent to the project limits, including:

- the existing highway section(s) and features within the project limits, including:
  - number, width, type (through, turning, climbing, etc.), and location of travel lanes.
  - shoulder widths and types (asphalt, gravel, grass, etc.).
  - number, width, type, and location of utility strips.
  - location of curbed sections.
  - width and type of medians.
  - width of clear zones.
  - location and percent of grades.
  - horizontal curve radii.
  - intersection geometry and conditions.
  - parking regulations and conditions within the project limits.
  - right-of-way width (may be shown on a plan with references to the plan).
  - condition and adequacy of guiderail, median barriers, and impact attenuators.
  - location of traffic control features and their conformity with the latest guidelines for such features.
- provisions for pedestrians and bicyclists.
- the existing conditions and roadway sections of all abutting (adjacent) and intersecting highway segments.
- the following information for each bridge within the project limits:
  - existing pedestrian bridge conditions, including:
    - structure and deck type.
    - year constructed.
    - wearing surface type.
    - length.
  - number of spans and length of each.
  - out to out width.
  - curb-to-curb or rail-to-rail width.



- skew angle.
- utilities carried on the bridge.
- utilities parallel to the bridge.
- posted weight limits and year of posting.
- vertical clearance restrictions less than the legal minimum.
- expected future conditions (assuming the null alternative) using an anticipated deterioration rate provided by the **Sponsor**.
- existing mainline speed limit (and whether the speed limit is posted or not), and existing operating speeds (85th percentile speeds in most cases).
- land use for the project area as it now exists and future land development (planned and potential), including development years.
- existing vehicular access control (full control, partial control, or uncontrolled) and whether existing driveway entrances comply with local standards or policies.
- existing pavement and shoulder conditions within the project limits.
- a general assessment of drainage conditions within the project limits.
- a list of all utilities, and the respective owners, that are within the project's existing right of way.
- which, if any, school buses, emergency vehicles, or farm machinery regularly use this route.
- which, if any, suitable detour routes are available.

## 2.04 Accident Data and Analysis

The **Sponsor** will provide accident records for the last three years for the intersections plus one-tenth of a mile immediately outside of the project limits.

Collision diagrams and associated summary sheets will not be prepared. The **Consultant** and the Project Manager will discuss the accident records to note any clusters of accidents or patterns that may imply inadequate geometrics or other safety problems within the project limits.

## 2.05 Traffic Counts

The **Sponsor** will provide traffic count data for use by the **Consultant**. The **Consultant** will determine growth factors for forecasting, and forecast data.

The **Consultant** will provide flow diagrams for appropriate peak periods (e.g., am, noon, pm) showing existing and design year volumes on each approach of the intersection. A noon peak period will be included if the **Sponsor** provides traffic count data for that period.

## 2.06 Capacity Analysis

The **Consultant** will perform capacity analyses using the latest version of the Highway Capacity Manual or Synchro at the intersection location to determine:

- Existing level of service.
- Design year level of service.

## **2.07 Future Plans for Roadway and Coordination with Other Projects**

The **Sponsor** will provide a brief written statement specifying whether or not plans exist to reconstruct or widen the highway segments immediately adjacent to the project within the next twenty years.

The **Sponsor** will determine the influence, if any, of other existing or proposed projects or proposed developments in the vicinity of this project (e.g., whether a nearby highway widening would influence this project's design traffic volumes) .

The **Sponsor** will provide all necessary information pertaining to the other projects or developments.

## **2.08 Soils Investigations (Not Used)**

## **2.09 Hydraulic Analysis (Not Used)**

## **2.10 Bridges to be Rehabilitated (Not Used)**

## **2.11 Pavement Evaluation (Not Used)**

## Section 3 - Preliminary Design

### 3.01 Design Criteria

The **Consultant** will identify the applicable design standards to be used for this project, and will establish project-specific design criteria in accordance with the *NYSDOT Project Development Manual*.

The **Sponsor** will approve the selected project design criteria and will obtain NYSDOT concurrence (either by a written submission or at a meeting).

Based on the selected design criteria, the **Consultant** will identify all existing non-standard features that are within and immediately adjacent to the project limits. Non-standard features that correlate with a high accident rate will be noted.

### 3.02 Development of Alternatives

#### A. Selection of Design Alternative(s)

The **Consultant** will identify and make rudimentary evaluations of potential design alternative concepts that would meet the **Sponsor's** defined project objectives. These evaluations are not to be carried beyond the point of establishing the feasibility of each concept as a design alternative; only those significant environmental and geometric design constraints that bear on the feasibility should be identified.

For each concept the **Consultant** will prepare rudimentary sketches of plan, profile, and typical section views which show:

- On plan: proposed centerlines; pavement edges; curve radii and termini; and existing ROW limits.
- On profile: theoretical grade lines; critical clearances; vertical curve data; grades; and touchdown points.
- On typical section: lane, median, and shoulder widths; ditches; gutters; curbs; and side slopes.
- Where necessary: important existing features.
- Where pertaining to feasibility: significant environmental and geometric design constraints, labeled as such.

These sketches will include only the minimum information needed to select design alternatives to be studied in further detail.

The **Consultant** will meet with the **Sponsor** to discuss the concepts, using the sketches as discussion aids to describe the relative order-of-magnitude costs, advantages, disadvantages, and problem areas of each. From these concepts the **Sponsor** will select one, or in some cases more, design alternative(s) for further development.

#### B. Detailed Evaluations of Alternative(s)

The **Consultant** will further evaluate each design alternative and the null alternative with specific engineering analyses and considerations. Analyses will be conceptual and limited to determining the relative suitability of each design alternative, and will include:

- Design geometry, including the identification and comparison of alignment constraints and (where applicable) justification for retaining nonstandard design features, per the NYSDOT *Highway Design Manual*.
- Environmental constraints and potential environmental impact mitigation measures (identified under Section 4 tasks).
- Traffic flow and safety considerations, including signs, signals, and level of service analysis for intersections.
- Pavement.
- Structures, including bridges, retaining walls, major culverts, and building alterations (limited to establishing basic concepts, accommodating clearances and stream flow, and estimating costs). Bridge investigative work (inspection, deck coring, etc.) is covered under Section 2.
- Drainage.
- Maintenance responsibility.
- Maintenance and protection of traffic during construction.
- Soil and foundation considerations.
- Utilities.
- Evaluation of impacts to underground sidewalk vaults.
- Railroads.
- Right-of-way acquisition requirements.
- Conceptual landscaping (performed by a Registered Landscape Architect).
- Accessibility for pedestrians, bicyclists and the disabled.
- Lighting.
- Construction cost factors.

The **Consultant** will prepare the following drawings for each design alternative analyzed:

- 1"=40'-0" plans showing (as a minimum) stationed centerlines; roadway geometrics; major drainage features; construction limits; cut and fill limits; and proposed right-of-way acquisition lines.
- Profiles, at a scale of 1"=40'-0" horizontal and 1"=10'-0" (maximum) vertical, showing (as a minimum) the vertical datum reference; significant elevations; existing ground line; theoretical grade line; grades; vertical curve data including sight distances; critical clearances at structures; centerline stations and equalities; construction limits; and superelevation data.
- Typical sections showing (as a minimum) lane, median, and shoulder widths; ditches; gutters; curbs; and side slopes.

### 3.03 Cost Estimates

The **Consultant** will develop a preliminary cost estimate to be submitted with the Design

Approval Document for the project.

### **3.04 Preparation of Draft Design Approval Document**

For this project the Design Approval Document (DAD) will be a Project Scoping Report/ Final Design Report (PSR/FDR).

The **Sponsor** will make all determinations not specifically assigned to the **Consultant** which are needed to prepare the Draft DAD.

The **Consultant** will prepare a Draft DAD, which will include the results of analyses and/or studies performed in other Sections of this document. The DAD will be formatted as specified in the NYSDOT *Project Development Manual (PDM)*.

The **Consultant** will submit 3 copies of the Draft DAD to the **Sponsor** for review. The **Sponsor** will review the Draft DAD and provide the **Consultant** with review comments. The **Consultant** will revise the Draft DAD to incorporate the comments.

### **3.05 Advisory Agency Review**

The **Consultant** will provide the **Sponsor** with 5 copies of the signed Draft DAD for distribution to advisory agencies.

The **Sponsor** will distribute the Draft DAD to the advisory agencies.

The **Consultant** will assist the **Sponsor** in evaluating and preparing individual responses to the review comments received.

### **3.06 Public Information Meeting(s) and/or Public Hearing(s)**

#### **A. Public Information Meeting(s)**

The **Consultant** will assist the **Sponsor** at 1 public information meeting with advisory agencies, local officials, and citizens, at which the **Consultant** will provide visual aids and present a technical discussion of the alternatives.

The **Sponsor** will arrange for the location of public information meeting(s). The **Consultant** will assist the **Sponsor** with appropriate notification.

#### **B. Public Hearing(s) (Not Used)**

### **3.07 Preparation of Final Design Approval Document (DAD)**

The **Consultant** will revise the draft PSR/FDR to incorporate comments from the **Sponsor** and NYSDOT.

The **Consultant** will submit the final PSR/FDR to the **Sponsor** and NYSDOT.

The **Sponsor** will grant or obtain, from or through the NYSDOT, Design Approval.

## Section 4 - Environmental

### 4.01 NEPA Classification

The **Consultant** will verify the anticipated NEPA Classification.

The project is determined to be a Class II action. The **Consultant** will complete the Federal Environmental Approval Worksheet (FEAW), and forward the completed checklist to the **Sponsor** for forwarding to the NYSDOT for a final NEPA determination.

The Lead Agency for NEPA is the Federal Highway Administration (FHWA).

### 4.02 SEQRA Classification

The **Consultant** will assist the **Sponsor** in complying with SEQRA (6 NYCRR Part 617). The **Sponsor** is the Lead Agency. Consultant tasks include, but are not limited to:

- Drafting letters to involved agencies to determine the lead agency.
- Drafting Environmental Assessment Form(s).
- Drafting a negative declaration.
- Drafting a positive declaration.
- Drafting notices.

The **Consultant** will document the results of SEQRA processing in the body of the Design Approval Document (DAD) and will include documentation of the final SEQRA determination in the Appendix of the DAD.

### 4.03 Smart Growth

The **Consultant** will complete the Smart Growth Checklist developed by NYSDOT to measure whether and to what extent a project conforms to the principles and objectives of Smart Growth and submit same to the **Sponsor** for attestation. (New York State's Smart Growth policy was adopted by amendment to the State Highway Law and is intended to minimize the "unnecessary cost of sprawl development." It requires public infrastructure projects to undergo a consistency evaluation and attestation using established Smart Growth Infrastructure Criteria. The consistency evaluation is measured with the Smart Growth checklist which can be found in the Chapter 7 Appendices on the PLAFAP Manual website.)

### 4.04 Screenings and Preliminary Investigations

The **Consultant** will screen and perform preliminary investigations to determine potential impacts resulting from the design alternative(s). Work will be performed in accordance with the criteria contained in the NYSDOT *Environmental Procedures Manual*, to determine whether further detailed analysis or study is required. The results of these screenings and preliminary investigations will be summarized in the appropriate sections of the DAD.

#### 4.05 Detailed Studies and Analyses

- **Asbestos**

The **Consultant** must maintain a valid asbestos handling license for the duration of this agreement and all **Consultant** personnel engaged in asbestos-related work must be appropriately certified for the work being performed, as described in Section 56-2.2 of Industrial Code Rule 56 (12 NYCRR Part 56).

The **Consultant** will perform a preliminary investigation for the presence of asbestos-containing materials (ACM's) within the project site and corridor, using the following screening techniques:

The **Consultant** will conduct a site-visit to the listed bridge.

The **Consultant** will collect bulk samples of materials suspected of containing asbestos per NYSDOL Code Rule 56. Samples will be analyzed by a NYS ELAP approved laboratory to determine asbestoform type and content. Materials containing asbestos content of more than 1% shall be identified as asbestos containing.

The **Consultant** will collect bulk samples of suspect lead-based paint. This will be accomplished using Atomic Absorption Spectrometry (AAS). AAS technology involves the collection of paint chip samples and subsequent laboratory analysis. This analysis provides precise weight percent data for each sample collected.

The **Consultant** will Prepare and submit a report(s) documenting the survey results and recommendations for appropriate response actions.

## **Section 5 – Right of Way**

### **5.01 Abstract Request Map and/or Title Search (Not Used)**

### **5.02 Right-of-Way Boundaries**

Existing Right-of-Way Boundaries will be shown on the plans.

The existing Right-of-Way / Highway Boundaries will be determined from record plans or other data provided by the **Municipality**, and tax map data under section 2.01.



## Section 6 - Detailed Design

### 6.01 Preliminary Bridge Plans (Not Used)

### 6.02 Advance Detail Plans (ADP)

The **Consultant** will develop the approved design alternative to the ADP stage. At this stage all plans, specifications, estimates and other associated materials will be **90%** complete.

Advance Detail Plans may include, but are not limited to, the following contract sheet drawings:

- Title Sheet
- Index and legend
- Typical sections
- Traffic Control Plan (including construction sign text data and temporary traffic signal plans and details)
- Maintenance jurisdiction table
- Survey baseline ties
- Miscellaneous tables
- Miscellaneous details
- Erosion and Sediment Control Plan
- General Plans
- General Profiles
- Signs & Sign Structures
- Traffic signal plans
- Lighting plans
- Pavement marking plans
- Drainage/Utility plans
- Landscaping plans

The **Consultant** will prepare and submit 3 copies of the ADP's to the **Sponsor** for review.

The **Consultant** will modify the design to reflect the review of the ADP package.

### 6.03 Contract Documents

The **Consultant** will prepare a complete package of bid-ready contract documents. The package will include:

- Instructions to bidders.
- Bid documents.
- Contract language, including applicable federal provisions and prevailing wage rates.
- Special notes.

- Specifications.
- Plans.
- PS&E Transmittal Memo
- A list of supplemental information available to bidders (i. e., subsurface exploration logs, record as-built plans, etc.).
- Other pertinent information.

The **Consultant** will submit 5 preliminary copies of the contract documents to the **Sponsor** for review and comment. After revising the contract documents to incorporate comments, the **Consultant** will submit 5 copies of the final contract documents to the **Sponsor** for distribution. The **Sponsor** will submit 3 copies of the contract bid documents to NYSDOT as described in the *PLAFAP Manual*.

#### **6.04 Cost Estimate**

The **Consultant** will develop, provide, and maintain the construction cost estimate for the project. The **Consultant** will submit the initial estimate with the ADP's and will develop and provide the final Engineer's Estimate, including all quantity computations with the Contract Documents.

#### **6.05 Utilities**

The **Consultant** will coordinate with the known utility companies in the project area to identify and locate their facilities.

The **Sponsor** will assist with the coordination by providing names and contact information of the individuals the City routinely coordinates with regarding construction activity.

The **Consultant** will assist the **Sponsor** in preparing any necessary agreements with utility companies. The **Sponsor** will be responsible for obtaining signed agreements.

No relocations are anticipated.

#### **6.06 Railroads (Not Used)**

#### **6.07 Bridge Inventory and Load Rating Forms (Not Used)**

#### **6.08 Information Transmittal**

Upon completion of the contract documents, the **Consultant** will transmit to the **Sponsor** all project information, including electronic files. The electronic information will be in the format requested by the **Sponsor**. An electronic PDF copy of the contract documents will be submitted to the **Sponsor**.

## Section 7 - Advertisement, Bid Opening and Award

### 7.01 Advertisement

The **Consultant** will prepare the advertisement for bids to be placed in the NYS Contract Reporter and any other newspaper or publication identified by the **Sponsor**. The **Consultant** will submit the ad(s) to the **Sponsor** for review and will revise the ad(s) to reflect comments generated by that review. Upon approval by the **Sponsor**, the **Consultant** will place the advertisements.

Advertisements must not be placed until authorization is granted to the **Sponsor** by the NYSDOT.

A Pre-Bid Meeting will not be required.

### 7.02 Bid Opening (Letting)

The **Sponsor** will hold the public bid opening.

### 7.03 Award

The **Consultant** will analyze the bid results. The analysis will include:

- Verifying the low bidder.
- Ensuring receipt of all required bid documents (non-collusive bid certification, debarment history certification, etc.).
- Breaking the low bid into fiscal shares, if necessary.
- Determining, with assistance from the **Sponsor**, whether the low bidder is qualified to perform the work.
- Determining whether the low bid is unbalanced.
- For pay items bid more than 25% over the Engineer's Estimate:
  - Checking accuracy of quantity calculations.
  - Determining appropriateness of price bid for work in the item.
  - Determining whether the low bidder is qualified to perform the work.

The **Consultant** will assist the **Sponsor** in preparing and compiling the package of information to be transmitted to the NYSDOT.

The **Sponsor** will award the contract and will transmit the award package to the NYSDOT as described in the *NYSDOT PLAFAP Manual*.

## Section 8 - Construction Support

### 8.01 Construction Support

The **Consultant** will provide design response to unanticipated or changed field conditions, analyze and participate in proposed design changes, and explain the design, drawings, plans, and specifications to the Construction Contractor in understandable terms.

Work under this section will be in response to a specific assignment from the **Sponsor** under one of the tasks below:

- In response to unanticipated and/or varying field conditions or changes in construction procedures, the **Consultant** will conduct on-site field reconnaissance and, where required, prepare Field Change Sheets modifying pertinent contract plan sheets.
- The **Consultant** will analyze and make recommendations on the implementation of changes proposed by the **Sponsor** or the Construction Contractor. This includes the Traffic Control Plan.
- The **Consultant** will interpret and clarify design concepts, plans and specifications.
- The **Consultant** will review and approve shop drawings produced by the Construction Contractor showing the different portions of the work. Review of the shop drawings shall be limited to assuring conformance and compatibility with the information given in the Construction Contractor's contract documents. Such reviews or other actions shall not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incidental thereto.

The **Consultant** shall not invoice the **Municipality** for the following services:

- Corrections of design errors and omissions
- Straightforward interpretations of plans and designer intentions.

## **Section 9 - Construction Observation (Not Used)**

## Attachment A - Estimating & Technical Assumptions

### 10.01 Estimating Assumptions

The following assumptions have been made for estimating purposes:

- Section 1) Estimate 2 meetings during the life of this agreement.
- Estimate 10 cost and progress-reporting periods will occur during the life of this agreement.
- Estimate 2 progress meetings during the life of this agreement.
- Section 2) Assume that GPS methods and equipment will not be used to establish local control points.
- Estimate 10 accidents will require analysis.
- Estimate 3 capacity analyses will be required.
- Estimate 0 soil borings will be taken.
- Section 3) Estimate 2 cost estimates will be required during preliminary design.
- Estimate 2 Stakeholders meetings will be required during preliminary design.
- Section 4) Not Used.
- Section 5) Estimate 0 property acquisitions will be required.
- Section 6) Estimate 10 sidewalk handicap ramps will be revised.
- Estimate 1 cost estimate plus 1 update will be required.
- Estimate 4 utility companies and 0 railroad agencies will be affected.
- Estimate 10 street lights will need relocation/replacement
- Estimate 1 signalized intersection will need upgrading/replacement
- Section 7) Estimate 15 copies of the final contract bid documents will be needed for prospective bidders.
- The bid opening is anticipated for August 2016.
- Section 8) Estimate one (1) situation involving unanticipated and/or varying field conditions or changes in construction procedures that will require on-site field reconnaissance and follow up.
- Estimate one (1) change proposed by the **Sponsor** or the Construction Contractor that will require analysis and recommendation.
- Section 9) Not used.

## **10.02 Technical Assumptions**

### **Roadway Assumptions**

- It is assumed that no horizontal or vertical alignment improvements are necessary. If horizontal or vertical alignment improvements are necessary, supplemental design efforts will be added by a supplemental agreement.
- It is assumed that one feasible alternative will be investigated based on the project's objectives. Investigating additional alternatives will require a supplemental agreement.
- Impacts to utilities will be identified within the roadway right of way. Existing utility relocation including but not limited to water, sewer, gas, and electric is not anticipated. Utility relocations if required will be done with a supplemental agreement.
- It is assumed that a pavement design is not required. It is assumed that the existing pavement will be milled and overlaid within the project limits. Pavement reconstruction areas, if required, will match existing pavement section based on pavement cores provided by the City of Binghamton.
- Permanent pavement markings will be developed for the intersection approaches within the project limits.
- It is assumed that the power source for the existing traffic signals will be sufficient to power the new traffic signals.

### **Pedestrian Bridge**

- It assumed the existing pedestrian bridge will be screened and tested for asbestos. Removal of the existing bridge will be studied and a cost estimate will be provided. Project costs and available funding will determine whether or not this structure will be removed as part of this project. Demolition plans and/or permits required to remove the existing bridge will be developed under a supplemental agreement.

### **Geotechnical Assumptions**

- It is assumed 3 pavement cores will be provided by the City of Binghamton.

### **Environmental Testing**

- It is assumed that one submission consisting of a project description, photos, and location map will be sufficient to obtain a "No Adverse Effect" determination from SHPO. If a detailed study is required this will be done under a supplemental agreement.
- It is assumed that no environmental permits will be necessary due to limited impacts within existing right-of-way. It is assumed that the existing pedestrian bridge will require asbestos screening and testing.
- The Smart Growth checklist prepared in the IPP will be reviewed and updated as needed.

*PIN 9009.36 State St. Pedestrian/Streetscape Improvements  
City of Binghamton Department of Engineering  
McFarland Johnson Scope of Services*

- It is assumed that there won't be a significant change in LOS, therefore an Air Quality analysis won't be necessary.
- Due to the urban setting, it is assumed that a Visual Resource study will not be necessary.
- It is assumed that no environmental coordination will be required.

#### **Right-of-Way Assumptions**

- No ROW acquisitions are anticipated.
- ROW and property lines will be based on tax map data and data provided by the City.

#### **Miscellaneous Assumptions**

- The location of existing utilities shall be determined via ground survey supplemented by location plans provided by each utility owner. If underground exploration becomes necessary to locate existing vaults or any other utilities this will be done by a supplemental agreement.

#### **Survey Technical Assumptions:**

- 1) Access to the site and surrounding dam will not be impeded
- 2) Maintenance and Protection of Traffic during survey operation will be the modified DOT 'short-term-stationary' set up by the survey crew.
- 3) NYS DOL 'prevailing wages' do apply
- 4) Mapping limits will be as shown on Fig. 1
- 5) Units of measure will be US customary units.
- 6) Design mapping will be generated at a 1"= 20 foot scale with 1-foot contour intervals.
- 7) Assume 1 day of Supplemental Survey, mobilization and office processing and CAD time
- 8) Prudent will contact DigSafe NY and initiate a design ticket
- 9) The engineer will be responsible for the layout of borings.
- 10) Construction layout and or as-built survey is not included
- 11) Digital tax map files will be provided

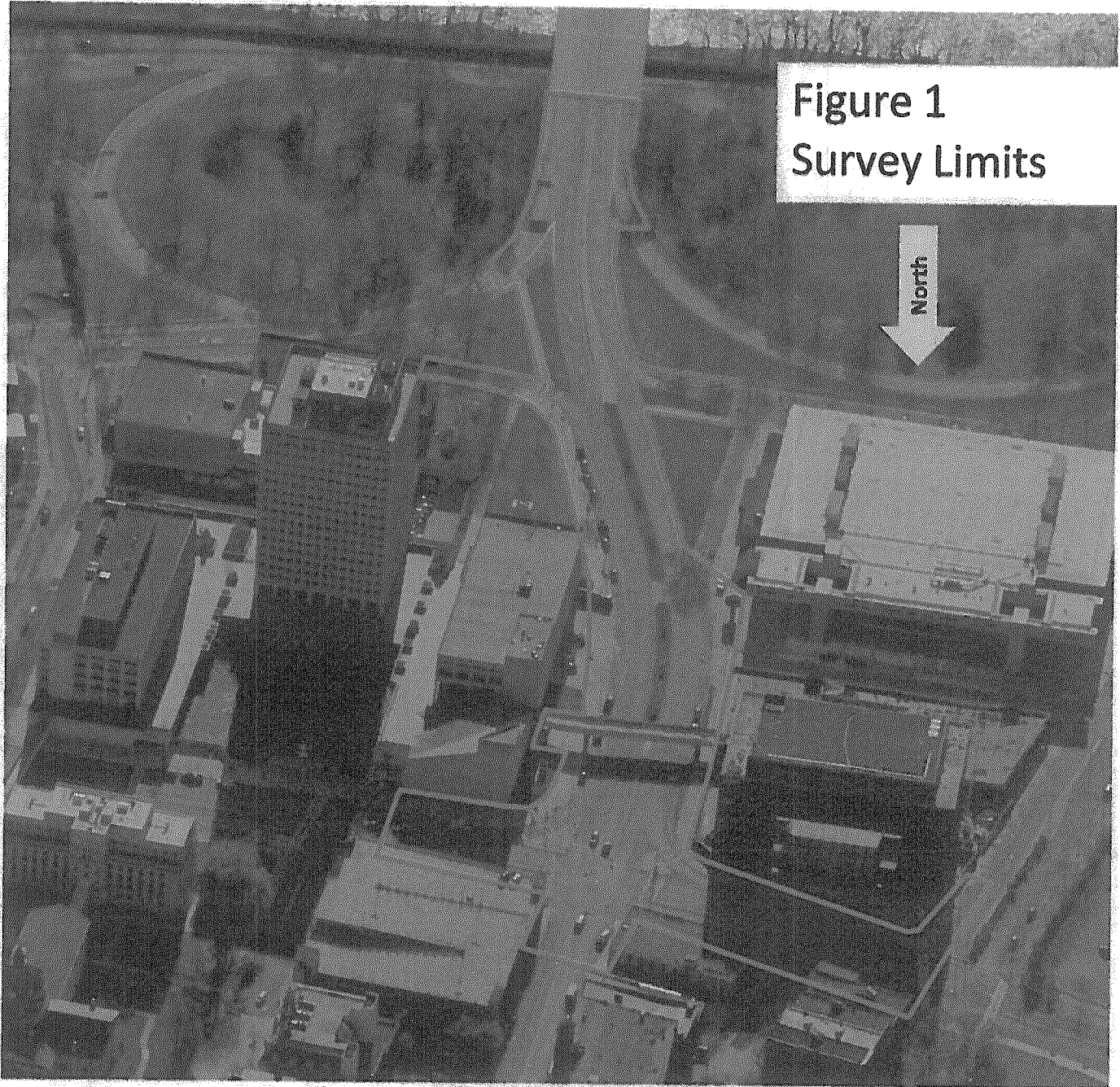


# State Street Pedestrian Streetscape Improvements

PIN 9009.36

	Quant	Unit	Unit Price	Total
Mobil (4%)	NEC	LS	\$30,000.00	\$30,000.00
MP&T	NEC	LS	\$15,000.00	\$15,000.00
Storm Drain	NEC	LS	\$15,000.00	\$15,000.00
Conc Curb	2800	LF	\$25.00	\$70,000.00
Conc Sidewalk	200	SY	\$40.00	\$8,000.00
Remove Bridge (Not Included)				
Remove Tree and Shrub	10	EA	\$200.00	\$2,000.00
New Antique Traffic Signal Poles and Equipment	NEC	LS	\$250,000.00	\$250,000.00
Pavmt Profiling	5400	SY	\$4.00	\$21,600.00
Asphalt Pavement	450	TON	\$85.00	\$38,250.00
Precast Pavers or stamped colored concrete	5600	SF	\$12.00	\$67,200.00
Antique Lighting	10	EA	\$12,000.00	\$120,000.00
Landscaping	NEC	LS	\$30,000.00	\$30,000.00
Sediment & Erosion control	NEC	LS	\$5,000.00	\$5,000.00
Subtotal				\$672,050.00
Construction Contingency (15%)				\$100,807.50
Preliminary Construction Cost				\$772,857.50

Figure 1  
Survey Limits



# **Preliminary Design**

**EXHIBIT B**  
**State Street Pedestrian/Streetscape Improvements**



City of Binghamton  
Preliminary Design

Draft  
10/7/15

**FEE SUMMARY**

	DESIGN / PLANNING SERVICES	CONSTRUCTION SERVICES
1. DIRECT TECHNICAL LABOR	\$13,611.00	
2. ESTIMATED OVERHEAD EXPENSES AND PAYROLL BURDEN Based on Percentage of Direct Salary Cost (exclusive of Premium Pay) with the estimated Percentage being 175.00 %	\$23,819.25	
3. SUBTOTAL OF ITEMS 1 & 2	\$37,430.25	
4. FIXED FEE / PROFIT	\$5,614.54	
5. DIRECT EXPENSES	\$25.00	
6. SUBCONSULTANT COSTS	\$32,116.94	
Prudent Inc.	\$15,067	
Saratoga Associates	\$14,000	
C.T. Male	\$3,050	
7. SUBCONTRACT COSTS - (ESTIMATE )		
8. OVERTIME PREMIUM		
9. TOTAL FEE ESTIMATE	\$75,186.73	

10. TOTAL FEE FOR ALL SERVICES

**\$75,187**

NOTE: Authorized hours worked in excess of forty per week are subject to a premium time charge

# State Street Pedestrian/Streetscape Improvements

## City of Binghamton Preliminary Design

Draft  
10/7/15



**McFarland Johnson**

### McFARLAND-JOHNSON LABOR RATES

#### DIRECT TECHNICAL LABOR

	<u>CURRENT AVG. RATE</u>	<u>PROJECT AVG. RATE</u>
<u>CLASSIFICATION</u>		
Vice President (VP)	\$88.64	\$91.12
Regional Office/Division Manager (DM)	\$63.50	\$65.28
Senior Project Manager (SPM)	\$60.92	\$62.63
Sr. Project Engineer (SPE)	\$48.34	\$49.69
Project Engineer (PE)	\$43.50	\$44.72
Senior Engineer (SE)	\$36.65	\$37.68
Assistant Engineer (AE)	\$31.86	\$32.75
Junior Engineer (JE)	\$26.16	\$26.89
Senior Technician (ST)	\$29.12	\$29.94
Technician (T)	\$25.01	\$25.71
Assistant Technician (AT)	\$21.67	\$22.28
Junior Technician (JT)	\$14.40	\$14.80
Construction Supervisor / Resident Engineer (CS)	\$40.38	\$41.51
Senior Inspector (SI)	\$36.50	\$37.52
Inspector (I)	\$29.83	\$30.67

Assume Notice to Proceed: 10/15/2015  
Design Project Duration (months): 6  
Assume Salary Escalation: 4.0%

Year	Compounded Escalation Factor	% Work in year	Effective %
2015	1.000	30.0%	30.0%
2016	1.040	70.0%	72.8%
2017	1.082		
		100.0%	<b>102.8%</b>



State Street Pedestrian/Streetscape Improvements

City of Binghamton  
Preliminary Design  
Draft  
10/7/15



ESTIMATED HOURS

PHASE/TASK	DESCRIPTION	HOURS BY CLASSIFICATION													SUM
		VP	DM	SPM	SPE	PE	SE	AE	JE	ST	T	JT	CS	SI	
		\$91.12	\$65.28	\$62.63	\$49.69	\$44.72	\$37.68	\$32.75	\$26.89	\$29.94	\$25.71	\$14.80	\$41.51	\$37.52	\$30.67
1.06	Meetings				8										8
1.07	Cost and Progress Reporting				6										6
2.04-2.06	Accident Data and Analysis / Traffic Counts / Capacity Anal.						24								24
3.01	Design Criteria				4										4
3.021	Selection of Design Alternatives				8										8
3.022-3.03	Detailed Evaluation of Alternatives / Cost Estimates					40		40		32					112
3.04-3.05	Preparation of Draft DAD / Advisory Agency Meeting					48				40					88
3.061-3.062	Public Information Meetings / Public Hearing					16				24					40
3.07	Preparation of Final DAD					24									24
4.01-4.02	NEPA Classification / SEORA Classification							20							20
4.03	Smart Growth							2							2
4.04	Screenings and Preliminary Investigations							24							24
4.05	Detailed Studies and Analyses														
Total Hours - Design / Planning Services					26	128	24	86		96					360
Total Labor Cost - Design / Planning Services					\$1,292	\$5,724	\$904	\$2,817		\$2,874					\$13,611

# **Final Design**



**EXHIBIT B**  
**State Street Pedestrian/Streetscape Improvements**



City of Binghamton  
 Final Design  
 Draft  
 10/7/15

**FEE SUMMARY**

	DESIGN / PLANNING SERVICES	CONSTRUCTION SERVICES
1. DIRECT TECHNICAL LABOR	\$18,223.00	
2. ESTIMATED OVERHEAD EXPENSES AND PAYROLL BURDEN Based on Percentage of Direct Salary Cost (exclusive of Premium Pay) with the estimated Percentage being 175.00 %	\$31,890.25	
3. SUBTOTAL OF ITEMS 1 & 2	\$50,113.25	
4. FIXED FEE / PROFIT	\$7,516.99	
5. DIRECT EXPENSES	\$25.00	
6. SUBCONSULTANT COSTS	\$6,000.00	
Saratoga Associates	\$6,000	
7. SUBCONTRACT COSTS - (ESTIMATE )		
Subcontractor 1 Name Geotechnical Services		
8. OVERTIME PREMIUM		
9. TOTAL FEE ESTIMATE	\$63,655.24	

10. TOTAL FEE FOR ALL SERVICES

**\$63,656**

NOTE: Authorized hours worked in excess of forty per week are subject to a premium time charge

# State Street Pedestrian/Streetscape Improvements

City of Binghamton  
Final Design

Draft  
10/7/15



## McFARLAND-JOHNSON LABOR RATES

### DIRECT TECHNICAL LABOR

<u>CLASSIFICATION</u>	<u>CURRENT AVG. RATE</u>	<u>PROJECT AVG. RATE</u>
Vice President (VP)	\$88.64	\$92.19
Regional Office/Division Manager (DM)	\$63.50	\$66.04
Senior Project Manager (SPM)	\$60.92	\$63.36
Sr. Project Engineer (SPE)	\$48.34	\$50.27
Project Engineer (PE)	\$43.50	\$45.24
Senior Engineer (SE)	\$36.65	\$38.12
Assistant Engineer (AE)	\$31.86	\$33.13
Junior Engineer (JE)	\$26.16	\$27.21
Senior Technician (ST)	\$29.12	\$30.28
Technician (T)	\$25.01	\$26.01
Assistant Technician (AT)	\$21.67	\$22.54
Junior Technician (JT)	\$14.40	\$14.98
Construction Supervisor / Resident Engineer (CS)	\$40.38	\$42.00
Senior Inspector (SI)	\$36.50	\$37.96
Inspector (I)	\$29.83	\$31.02

Assume Notice to Proceed: 10/15/2015  
Design Project Duration (months): 4  
Assume Salary Escalation: 4.0%

Year	Compounded Escalation Factor	% Work in year	Effective %
2015	1.000		
2016	1.040	100.0%	104.0%
2017	1.082		
		100.0%	104.0%

## State Street Pedestrian/Streetscape Improvements

City of Binghamton  
Final Design

Draft  
10/7/15

### DIRECT COSTS



**McFarland Johnson**

	DESIGN / PLANNING SERVICES	CONSTRUCTION SERVICES
Travel Related Costs:		
Vehicle Cost Plus Fuel		
Lodging and Meals		
Per Diem		
Reproduction		
CADD Plots		
Prints		
Photocopies		
Photo Costs		
Telephone/Fax:		
Postage/Delivery	\$25	
Miscellaneous		
	\$25	
		\$25

State Street Pedestrian/Streetscape Improvements

City of Binghamton  
Final Design  
Draft  
10/7/15



ESTIMATED HOURS

PHASE/TASK	DESCRIPTION	HOURS BY CLASSIFICATION													SUM
		VP	DM	SPM	SPE	PE	SE	AE	JE	ST	T	JT	CS	SI	
		\$92.19	\$66.04	\$63.36	\$50.27	\$45.24	\$38.12	\$33.13	\$27.21	\$30.28	\$26.01	\$14.98	\$42.00	\$37.96	\$31.02
1.06	Meetings					8									8
1.07	Cost and Progress Reporting					4									4
6.02	Advance Detail Plans					28	120			152					300
6.03 & 6.08	Contract Documents / Information Transmittal					8	12			96					116
6.04	Cost Estimate								40	24					64
7.01-7.03	Advertisement / Bid Opening / Award					24									24
8.01	Construction Support						16								16
Total Hours - Design / Planning Services						72	148		40	272					532
Total Labor Cost - Design / Planning Services						\$3,257	\$5,642		\$1,088	\$8,236					\$18,223

## **Base Scope of Services**

### **Prepared for:**

**City of Binghamton**  
**Department of Engineering**  
City Hall, Government Plaza  
Binghamton, NY 13901-3776

### **Describing Services for:**

PIN 9009.36, State Street Pedestrian/Streetscape Improvements  
City of Binghamton  
State Street/Hawley Street Intersection

**10/7/15**



# **McFarland Johnson**

## Table of Contents

	Base Task List	Pages
Section 1	General	3-6
Section 2	Data Collection & Analysis	7-10
Section 3	Preliminary Design	11-13
Section 4	Environmental	14-15
Section 5	Right-of-Way	16
Section 6	Detailed Design	17-18
Section 7	Advertisement, Bid Opening and Award	19
Section 8	Construction Support	20
Section 9	Construction Observation	21
Section 10	Estimating & Technical Assumptions	22-24

## Section 1 - General

### 1.01 Project Description and Location

Project Name: State Street Pedestrian/Streetscape Improvements, City of Binghamton

PIN: 9009.36

**Project Description:** State Street Pedestrian/Streetscape Improvements. State Street and Hawley Street intersection improvements.

**Project Limits:** The limits at the State Street/Hawley Street intersection shall extend along State Street a distance of approximately 1200 feet south and along Hawley Street 285 feet West/215 feet east.

**Sponsor:** City of Binghamton

**County:** Broome

The anticipated start date of design is October 2015.

The letting date is August 2016.

The construction completed date is November 2016.

The anticipated preliminary design costs are approximately \$75,187.

The anticipated final design costs are approximately \$63,656.

The anticipated construction cost is approximately \$773,000 based on preliminary cost estimate included with the scope of services.

### 1.02 Project Manager

The **Sponsor's** Project Manager for this project is:

Name: Terry J. Kellogg

Phone #: 607-772-7021

Email: [tjkellogg@cityofbinghamton.com](mailto:tjkellogg@cityofbinghamton.com)

All correspondence to the **Sponsor** should be addressed to:

City of Binghamton  
Commissioner of Public Works  
City Hall, 38 Hawley Street  
Binghamton, NY 13901

The **Sponsor's** Project Manager should receive copies of all project correspondence directed other than to the **Sponsor**.

### 1.03 Project Classification

This project is assumed to be a Class (II) action under USDOT Regulations, 23 CFR 771.

Classification under the New York State Environmental Quality Review Act (SEQRA) Part 617, Title 6 of the Official Compilation of Codes, Rules, and Regulations of New York State (6 NYCRR Part 617) is assumed to be Unlisted.

### 1.04 Categorization of Work

Project work is generally divided into the following sections:

Section 1	General
Section 2	Data Collection & Analysis
Section 3	Preliminary Design
Section 4	Environmental (Not Used)
Section 5	Right-of-Way
Section 6	Detailed Design
Section 7	Advertising, Bid Opening and Award
Section 8	Construction Support
Section 9	Construction Inspection
Section 10	Estimating & Technical Assumptions

When specifically authorized in writing to begin work the **Consultant** will render all services and furnish all materials and equipment necessary to provide the **Sponsor** with reports, plans, estimates, and other data specifically described in Sections 1, 2, 3, 4, 5, 6, 7, 8, and 10.

### 1.05 Project Familiarization

The **Sponsor** will provide the **Consultant** with the following information (as available):

- Approved project initiation document (Initial Project Proposal or similar documentation) indicating project type, project location, cost estimate, schedule, and fund source(s).
- Traffic data.
  - AM and PM turning movement volumes for all approaches at State/Hawley Street intersection.
  - Pedestrian volumes and movements at State/Hawley Street intersection.
  - Bicycle volumes and movements at State/Hawley Street intersection.
- Accident records and history.
- Record as-built plans.
- Available project studies and reports.
- Other relevant documents pertaining to the project.
- Existing ROW Data (electronic files of ROW and Easement Maps)

The **Consultant** will become familiar with the project before starting any work. This includes a thorough review of all supplied project information and a site visit to become familiar with field conditions.



## 1.06 Meetings

The **Consultant** will prepare for and attend all meetings as directed by the **Sponsor's** Project Manager. Meetings may be held to:

- Discuss all project issues, objectives, etc. with **Sponsor** ( a "kick-off" meeting)
- Present, discuss, and receive direction on the progress and scheduling of work in this agreement.
- Present, discuss, and receive direction on project specifics.
- Discuss and resolve comments resulting from review of project documents, advisory agency review, and coordination with other agencies.
- Manage subconsultants and subcontractors.

The **Consultant** will be responsible for the preparation of all meeting minutes; the minutes will be submitted to meeting attendees within one (1) week of the meeting date.

## 1.07 Cost and Progress Reporting

For the duration of this contract, the **Consultant** will prepare and submit to the **Sponsor** on a monthly basis a Progress Report in a format approved by the **Sponsor**. The Progress Report must contain the Cost Control Report. The beginning and ending dates defining the reporting period must correspond to the beginning and ending dates for billing periods, so that this reporting process can also serve to explain billing charges. (In cases where all work under this contract is officially suspended by the **Sponsor**, this task will not be performed during the suspension period).

## 1.08 Policy and Procedures

The design of this project will be progressed in accordance with the current version of the *NYSDOT Procedures for Locally Administered Federal Aid Projects (PLAFAP) Manual*, including the latest updates.

## 1.09 Standards & Specifications

The project will be designed and constructed in accordance with the current edition of the NYSDOT Standard Specifications for Construction and Materials, including all applicable revisions.

## 1.10 Subconsultants

The **Consultant** will be responsible for:

- Coordinating and scheduling work, including work to be performed by subconsultants.
- Technical compatibility of a subconsultant's work with the prime **Consultant's** and other subconsultants' work.

The following Subconsultants are included in the project:

Prudent Engineering (Survey and Mapping)  
Saratoga Associates (Streetscape/Landscaping)  
C.T. Male (Asbestos Screening existing Pedestrian Bridge)

#### **1.11 Subcontractors**

Procurement of subcontractors must be in accordance with the requirements set forth in the *NYSDOT PLAFAP Manual*.

## Section 2 - Data Collection & Analysis

### 2.01 Design Survey

#### A. Ground Survey

The **Consultant** will provide terrain data required for design by means of a topographic field survey.

A complete topographic survey will be performed in accordance with the standards set forth in the "Locally Administered Federal Aid Procedures Manual"

The topographic survey & mapping to be completed lay within the area shown on Figure 1 attached and generally are limited to the back edge of sidewalks and will include all pavement markings, details on the pedestrian bridge and subsurface & overhead utilities; vaults (sidewalk areaways) will be sketched and details provided by others for inclusion in the mapping,. Show ROW from tax map data.

The **Consultant** will contact the utility companies to obtain any plans they might have for their utilities within the project area, and request a stakeout if possible. All utilities visible or marked in the field by others will be located. Any underground features, not visible or not marked in the field, will be plotted by use of as-built maps and/or any other available information.

#### B. Stream Survey (Not used)

#### C. Survey of Wetland Boundaries (Not Used)

#### D. Supplemental Survey

The **Consultant** will provide supplemental survey when needed for design purposes and to keep the survey and mapping current. Assume 1 day of supplemental survey & office time.

#### E. Standards

Project control will conform to the standards set forth in the current NYSDOT Land Surveying Standards and Procedures Manual and in accordance with local standards described in Section 10 of the SOS.

Horizontal project control

- All horizontal coordinates will be State Plane Coordinate System based on North American Datum of 1983 (NAD 83). This will be accomplished through the use of RTK GPS equipment, no additional horizontal adjustment will be needed.

Vertical project control

- Elevations will be based on North American Vertical Datum of 1988 (NAVD88)

## 2.02 Design Mapping

The **Consultant** will provide the following design mapping:

1" = 20'-0" scale mapping with a 1 foot contour interval will be progressed in English units with 11x17 deliverables for all plan submittals. The project will be completed using the current version of Microstation.

The **Consultant** will provide supplemental mapping when needed for design purposes and to keep the mapping current. (see 2.01D)

A **survey control plan** will include the following: general location plan, Baseline plot, general overview of the project, Baseline tie diagrams, benchmark listing.

A minimum of **3 benchmarks** will be required for the project.

## 2.03 Determination of Existing Conditions

The **Consultant** will determine, obtain or provide all information needed to accurately describe in pertinent project documents the existing conditions within and adjacent to the project limits, including:

- the existing highway section(s) and features within the project limits, including:
- number, width, type (through, turning, climbing, etc.), and location of travel lanes.
- shoulder widths and types (asphalt, gravel, grass, etc.).
- number, width, type, and location of utility strips.
- location of curbed sections.
- width and type of medians.
- width of clear zones.
- location and percent of grades.
- horizontal curve radii.
- intersection geometry and conditions.
- parking regulations and conditions within the project limits.
- right-of-way width (may be shown on a plan with references to the plan).
- condition and adequacy of guiderail, median barriers, and impact attenuators.
- location of traffic control features and their conformity with the latest guidelines for such features.
- provisions for pedestrians and bicyclists.
- the existing conditions and roadway sections of all abutting (adjacent) and intersecting highway segments.
- the following information for each bridge within the project limits:
- existing pedestrian bridge conditions, including:
- structure and deck type.
- year constructed.
- wearing surface type.
- length.
- number of spans and length of each.
- out to out width.
- curb-to-curb or rail-to-rail width.

- skew angle.
- utilities carried on the bridge.
- utilities parallel to the bridge.
- posted weight limits and year of posting.
- vertical clearance restrictions less than the legal minimum.
- expected future conditions (assuming the null alternative) using an anticipated deterioration rate provided by the **Sponsor**.
- existing mainline speed limit (and whether the speed limit is posted or not), and existing operating speeds (85th percentile speeds in most cases).
- land use for the project area as it now exists and future land development (planned and potential), including development years.
- existing vehicular access control (full control, partial control, or uncontrolled) and whether existing driveway entrances comply with local standards or policies.
- existing pavement and shoulder conditions within the project limits.
- a general assessment of drainage conditions within the project limits.
- a list of all utilities, and the respective owners, that are within the project's existing right of way.
- which, if any, school buses, emergency vehicles, or farm machinery regularly use this route.
- which, if any, suitable detour routes are available.

## 2.04 Accident Data and Analysis

The **Sponsor** will provide accident records for the last three years for the intersections plus one-tenth of a mile immediately outside of the project limits.

Collision diagrams and associated summary sheets will not be prepared. The **Consultant** and the Project Manager will discuss the accident records to note any clusters of accidents or patterns that may imply inadequate geometrics or other safety problems within the project limits.

## 2.05 Traffic Counts

The **Sponsor** will provide traffic count data for use by the **Consultant**. The **Consultant** will determine growth factors for forecasting, and forecast data.

The **Consultant** will provide flow diagrams for appropriate peak periods (e.g., am, noon, pm) showing existing and design year volumes on each approach of the intersection. A noon peak period will be included if the **Sponsor** provides traffic count data for that period.

## 2.06 Capacity Analysis

The **Consultant** will perform capacity analyses using the latest version of the Highway Capacity Manual or Synchro at the intersection location to determine:

- Existing level of service.
- Design year level of service.

## **2.07 Future Plans for Roadway and Coordination with Other Projects**

The **Sponsor** will provide a brief written statement specifying whether or not plans exist to reconstruct or widen the highway segments immediately adjacent to the project within the next twenty years.

The **Sponsor** will determine the influence, if any, of other existing or proposed projects or proposed developments in the vicinity of this project (e.g., whether a nearby highway widening would influence this project's design traffic volumes) .

The **Sponsor** will provide all necessary information pertaining to the other projects or developments.

## **2.08 Soils Investigations (Not Used)**

## **2.09 Hydraulic Analysis (Not Used)**

## **2.10 Bridges to be Rehabilitated (Not Used)**

## **2.11 Pavement Evaluation (Not Used)**

## Section 3 - Preliminary Design

### 3.01 Design Criteria

The **Consultant** will identify the applicable design standards to be used for this project, and will establish project-specific design criteria in accordance with the *NYSDOT Project Development Manual*.

The **Sponsor** will approve the selected project design criteria and will obtain NYSDOT concurrence (either by a written submission or at a meeting).

Based on the selected design criteria, the **Consultant** will identify all existing non-standard features that are within and immediately adjacent to the project limits. Non-standard features that correlate with a high accident rate will be noted.

### 3.02 Development of Alternatives

#### A. Selection of Design Alternative(s)

The **Consultant** will identify and make rudimentary evaluations of potential design alternative concepts that would meet the **Sponsor's** defined project objectives. These evaluations are not to be carried beyond the point of establishing the feasibility of each concept as a design alternative; only those significant environmental and geometric design constraints that bear on the feasibility should be identified.

For each concept the **Consultant** will prepare rudimentary sketches of plan, profile, and typical section views which show:

- On plan: proposed centerlines; pavement edges; curve radii and termini; and existing ROW limits.
- On profile: theoretical grade lines; critical clearances; vertical curve data; grades; and touchdown points.
- On typical section: lane, median, and shoulder widths; ditches; gutters; curbs; and side slopes.
- Where necessary: important existing features.
- Where pertaining to feasibility: significant environmental and geometric design constraints, labeled as such.

These sketches will include only the minimum information needed to select design alternatives to be studied in further detail.

The **Consultant** will meet with the **Sponsor** to discuss the concepts, using the sketches as discussion aids to describe the relative order-of-magnitude costs, advantages, disadvantages, and problem areas of each. From these concepts the **Sponsor** will select one, or in some cases more, design alternative(s) for further development.

#### B. Detailed Evaluations of Alternative(s)

The **Consultant** will further evaluate each design alternative and the null alternative with specific engineering analyses and considerations. Analyses will be conceptual and limited to determining the relative suitability of each design alternative, and will include:

- Design geometry, including the identification and comparison of alignment constraints and (where applicable) justification for retaining nonstandard design features, per the NYSDOT *Highway Design Manual*.
- Environmental constraints and potential environmental impact mitigation measures (identified under Section 4 tasks).
- Traffic flow and safety considerations, including signs, signals, and level of service analysis for intersections.
- Pavement.
- Structures, including bridges, retaining walls, major culverts, and building alterations (limited to establishing basic concepts, accommodating clearances and stream flow, and estimating costs). Bridge investigative work (inspection, deck coring, etc.) is covered under Section 2.
- Drainage.
- Maintenance responsibility.
- Maintenance and protection of traffic during construction.
- Soil and foundation considerations.
- Utilities.
- Evaluation of impacts to underground sidewalk vaults.
- Railroads.
- Right-of-way acquisition requirements.
- Conceptual landscaping (performed by a Registered Landscape Architect).
- Accessibility for pedestrians, bicyclists and the disabled.
- Lighting.
- Construction cost factors.

The **Consultant** will prepare the following drawings for each design alternative analyzed:

- 1"=40'-0" plans showing (as a minimum) stationed centerlines; roadway geometrics; major drainage features; construction limits; cut and fill limits; and proposed right-of-way acquisition lines.
- Profiles, at a scale of 1"=40'-0" horizontal and 1"=10'-0" (maximum) vertical, showing (as a minimum) the vertical datum reference; significant elevations; existing ground line; theoretical grade line; grades; vertical curve data including sight distances; critical clearances at structures; centerline stations and equalities; construction limits; and superelevation data.
- Typical sections showing (as a minimum) lane, median, and shoulder widths; ditches; gutters; curbs; and side slopes.

### 3.03 Cost Estimates

The **Consultant** will develop a preliminary cost estimate to be submitted with the Design



Approval Document for the project.

### **3.04 Preparation of Draft Design Approval Document**

For this project the Design Approval Document (DAD) will be a Project Scoping Report/ Final Design Report (PSR/FDR).

The **Sponsor** will make all determinations not specifically assigned to the **Consultant** which are needed to prepare the Draft DAD.

The **Consultant** will prepare a Draft DAD, which will include the results of analyses and/or studies performed in other Sections of this document. The DAD will be formatted as specified in the NYSDOT *Project Development Manual (PDM)*.

The **Consultant** will submit 3 copies of the Draft DAD to the **Sponsor** for review. The **Sponsor** will review the Draft DAD and provide the **Consultant** with review comments. The **Consultant** will revise the Draft DAD to incorporate the comments.

### **3.05 Advisory Agency Review**

The **Consultant** will provide the **Sponsor** with 5 copies of the signed Draft DAD for distribution to advisory agencies.

The **Sponsor** will distribute the Draft DAD to the advisory agencies.

The **Consultant** will assist the **Sponsor** in evaluating and preparing individual responses to the review comments received.

### **3.06 Public Information Meeting(s) and/or Public Hearing(s)**

#### **A. Public Information Meeting(s)**

The **Consultant** will assist the **Sponsor** at 1 public information meeting with advisory agencies, local officials, and citizens, at which the **Consultant** will provide visual aids and present a technical discussion of the alternatives.

The **Sponsor** will arrange for the location of public information meeting(s). The **Consultant** will assist the **Sponsor** with appropriate notification.

#### **B. Public Hearing(s) (Not Used)**

### **3.07 Preparation of Final Design Approval Document (DAD)**

The **Consultant** will revise the draft PSR/FDR to incorporate comments from the **Sponsor** and NYSDOT.

The **Consultant** will submit the final PSR/FDR to the **Sponsor** and NYSDOT.

The **Sponsor** will grant or obtain, from or through the NYSDOT, Design Approval.

## Section 4 - Environmental

### 4.01 NEPA Classification

The **Consultant** will verify the anticipated NEPA Classification.

The project is determined to be a Class II action. The **Consultant** will complete the Federal Environmental Approval Worksheet (FEAW), and forward the completed checklist to the **Sponsor** for forwarding to the NYSDOT for a final NEPA determination.

The Lead Agency for NEPA is the Federal Highway Administration (FHWA).

### 4.02 SEQRA Classification

The **Consultant** will assist the **Sponsor** in complying with SEQRA (6 NYCRR Part 617). The **Sponsor** is the Lead Agency. Consultant tasks include, but are not limited to:

- Drafting letters to involved agencies to determine the lead agency.
- Drafting Environmental Assessment Form(s).
- Drafting a negative declaration.
- Drafting a positive declaration.
- Drafting notices.

The **Consultant** will document the results of SEQRA processing in the body of the Design Approval Document (DAD) and will include documentation of the final SEQRA determination in the Appendix of the DAD.

### 4.03 Smart Growth

The **Consultant** will complete the Smart Growth Checklist developed by NYSDOT to measure whether and to what extent a project conforms to the principles and objectives of Smart Growth and submit same to the **Sponsor** for attestation. (New York State's Smart Growth policy was adopted by amendment to the State Highway Law and is intended to minimize the "unnecessary cost of sprawl development." It requires public infrastructure projects to undergo a consistency evaluation and attestation using established Smart Growth Infrastructure Criteria. The consistency evaluation is measured with the Smart Growth checklist which can be found in the Chapter 7 Appendices on the PLAFAP Manual website.)

### 4.04 Screenings and Preliminary Investigations

The **Consultant** will screen and perform preliminary investigations to determine potential impacts resulting from the design alternative(s). Work will be performed in accordance with the criteria contained in the NYSDOT *Environmental Procedures Manual*, to determine whether further detailed analysis or study is required. The results of these screenings and preliminary investigations will be summarized in the appropriate sections of the DAD.

#### 4.05 Detailed Studies and Analyses

- **Asbestos**

The **Consultant** must maintain a valid asbestos handling license for the duration of this agreement and all **Consultant** personnel engaged in asbestos-related work must be appropriately certified for the work being performed, as described in Section 56-2.2 of Industrial Code Rule 56 (12 NYCRR Part 56).

The **Consultant** will perform a preliminary investigation for the presence of asbestos-containing materials (ACM's) within the project site and corridor, using the following screening techniques:

The **Consultant** will conduct a site-visit to the listed bridge.

The **Consultant** will collect bulk samples of materials suspected of containing asbestos per NYSDOL Code Rule 56. Samples will be analyzed by a NYS ELAP approved laboratory to determine asbestoform type and content. Materials containing asbestos content of more than 1% shall be identified as asbestos containing.

The **Consultant** will collect bulk samples of suspect lead-based paint. This will be accomplished using Atomic Absorption Spectrometry (AAS). AAS technology involves the collection of paint chip samples and subsequent laboratory analysis. This analysis provides precise weight percent data for each sample collected.

The **Consultant** will Prepare and submit a report(s) documenting the survey results and recommendations for appropriate response actions.

## **Section 5 – Right of Way**

### **5.01 Abstract Request Map and/or Title Search (Not Used)**

### **5.02 Right-of-Way Boundaries**

Existing Right-of-Way Boundaries will be shown on the plans.

The existing Right-of-Way / Highway Boundaries will be determined from record plans or other data provided by the **Municipality**, and tax map data under section 2.01.

## Section 6 - Detailed Design

### 6.01 Preliminary Bridge Plans (Not Used)

### 6.02 Advance Detail Plans (ADP)

The **Consultant** will develop the approved design alternative to the ADP stage. At this stage all plans, specifications, estimates and other associated materials will be **90%** complete.

Advance Detail Plans may include, but are not limited to, the following contract sheet drawings:

- Title Sheet
- Index and legend
- Typical sections
- Traffic Control Plan (including construction sign text data and temporary traffic signal plans and details)
- Maintenance jurisdiction table
- Survey baseline ties
- Miscellaneous tables
- Miscellaneous details
- Erosion and Sediment Control Plan
- General Plans
- General Profiles
- Signs & Sign Structures
- Traffic signal plans
- Lighting plans
- Pavement marking plans
- Drainage/Utility plans
- Landscaping plans

The **Consultant** will prepare and submit 3 copies of the ADP's to the **Sponsor** for review.

The **Consultant** will modify the design to reflect the review of the ADP package.

### 6.03 Contract Documents

The **Consultant** will prepare a complete package of bid-ready contract documents. The package will include:

- Instructions to bidders.
- Bid documents.
- Contract language, including applicable federal provisions and prevailing wage rates.
- Special notes.

- Specifications.
- Plans.
- PS&E Transmittal Memo
- A list of supplemental information available to bidders (i. e., subsurface exploration logs, record as-built plans, etc.).
- Other pertinent information.

The **Consultant** will submit 5 preliminary copies of the contract documents to the **Sponsor** for review and comment. After revising the contract documents to incorporate comments, the **Consultant** will submit 5 copies of the final contract documents to the **Sponsor** for distribution. The **Sponsor** will submit 3 copies of the contract bid documents to NYSDOT as described in the *PLAFAP Manual*.

#### 6.04 Cost Estimate

The **Consultant** will develop, provide, and maintain the construction cost estimate for the project. The **Consultant** will submit the initial estimate with the ADP's and will develop and provide the final Engineer's Estimate, including all quantity computations with the Contract Documents.

#### 6.05 Utilities

The **Consultant** will coordinate with the known utility companies in the project area to identify and locate their facilities.

The **Sponsor** will assist with the coordination by providing names and contact information of the individuals the City routinely coordinates with regarding construction activity.

The **Consultant** will assist the **Sponsor** in preparing any necessary agreements with utility companies. The **Sponsor** will be responsible for obtaining signed agreements.

No relocations are anticipated.

#### 6.06 Railroads (Not Used)

#### 6.07 Bridge Inventory and Load Rating Forms (Not Used)

#### 6.08 Information Transmittal

Upon completion of the contract documents, the **Consultant** will transmit to the **Sponsor** all project information, including electronic files. The electronic information will be in the format requested by the **Sponsor**. An electronic PDF copy of the contract documents will be submitted to the **Sponsor**.

## Section 7 - Advertisement, Bid Opening and Award

### 7.01 Advertisement

The **Consultant** will prepare the advertisement for bids to be placed in the NYS Contract Reporter and any other newspaper or publication identified by the **Sponsor**. The **Consultant** will submit the ad(s) to the **Sponsor** for review and will revise the ad(s) to reflect comments generated by that review. Upon approval by the **Sponsor**, the **Consultant** will place the advertisements.

Advertisements must not be placed until authorization is granted to the **Sponsor** by the NYSDOT.

A Pre-Bid Meeting will not be required.

### 7.02 Bid Opening (Letting)

The **Sponsor** will hold the public bid opening.

### 7.03 Award

The **Consultant** will analyze the bid results. The analysis will include:

- Verifying the low bidder.
- Ensuring receipt of all required bid documents (non-collusive bid certification, debarment history certification, etc.).
- Breaking the low bid into fiscal shares, if necessary.
- Determining, with assistance from the **Sponsor**, whether the low bidder is qualified to perform the work.
- Determining whether the low bid is unbalanced.
- For pay items bid more than 25% over the Engineer's Estimate:
  - Checking accuracy of quantity calculations.
  - Determining appropriateness of price bid for work in the item.
  - Determining whether the low bidder is qualified to perform the work.

The **Consultant** will assist the **Sponsor** in preparing and compiling the package of information to be transmitted to the NYSDOT.

The **Sponsor** will award the contract and will transmit the award package to the NYSDOT as described in the *NYSDOT PLAFAP Manual*.

## Section 8 - Construction Support

### 8.01 Construction Support

The **Consultant** will provide design response to unanticipated or changed field conditions, analyze and participate in proposed design changes, and explain the design, drawings, plans, and specifications to the Construction Contractor in understandable terms.

Work under this section will be in response to a specific assignment from the **Sponsor** under one of the tasks below:

- In response to unanticipated and/or varying field conditions or changes in construction procedures, the **Consultant** will conduct on-site field reconnaissance and, where required, prepare Field Change Sheets modifying pertinent contract plan sheets.
- The **Consultant** will analyze and make recommendations on the implementation of changes proposed by the **Sponsor** or the Construction Contractor. This includes the Traffic Control Plan.
- The **Consultant** will interpret and clarify design concepts, plans and specifications.
- The **Consultant** will review and approve shop drawings produced by the Construction Contractor showing the different portions of the work. Review of the shop drawings shall be limited to assuring conformance and compatibility with the information given in the Construction Contractor's contract documents. Such reviews or other actions shall not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incidental thereto.

The **Consultant** shall not invoice the **Municipality** for the following services:

- Corrections of design errors and omissions
- Straightforward interpretations of plans and designer intentions.



## **Section 9 - Construction Observation (Not Used)**

## Attachment A - Estimating & Technical Assumptions

### 10.01 Estimating Assumptions

The following assumptions have been made for estimating purposes:

- Section 1) Estimate 2 meetings during the life of this agreement.
- Estimate 10 cost and progress-reporting periods will occur during the life of this agreement.
- Estimate 2 progress meetings during the life of this agreement.
- Section 2) Assume that GPS methods and equipment will not be used to establish local control points.
- Estimate 10 accidents will require analysis.
- Estimate 3 capacity analyses will be required.
- Estimate 0 soil borings will be taken.
- Section 3) Estimate 2 cost estimates will be required during preliminary design.
- Estimate 2 Stakeholders meetings will be required during preliminary design.
- Section 4) Not Used.
- Section 5) Estimate 0 property acquisitions will be required.
- Section 6) Estimate 10 sidewalk handicap ramps will be revised.
- Estimate 1 cost estimate plus 1 update will be required.
- Estimate 4 utility companies and 0 railroad agencies will be affected.
- Estimate 10 street lights will need relocation/replacement
- Estimate 1 signalized intersection will need upgrading/replacement
- Section 7) Estimate 15 copies of the final contract bid documents will be needed for prospective bidders.
- The bid opening is anticipated for August 2016.
- Section 8) Estimate one (1) situation involving unanticipated and/or varying field conditions or changes in construction procedures that will require on-site field reconnaissance and follow up.
- Estimate one (1) change proposed by the **Sponsor** or the Construction Contractor that will require analysis and recommendation.
- Section 9) Not used.

## 10.02 Technical Assumptions

### Roadway Assumptions

- It is assumed that no horizontal or vertical alignment improvements are necessary. If horizontal or vertical alignment improvements are necessary, supplemental design efforts will be added by a supplemental agreement.
- It is assumed that one feasible alternative will be investigated based on the project's objectives. Investigating additional alternatives will require a supplemental agreement.
- Impacts to utilities will be identified within the roadway right of way. Existing utility relocation including but not limited to water, sewer, gas, and electric is not anticipated. Utility relocations if required will be done with a supplemental agreement.
- It is assumed that a pavement design is not required. It is assumed that the existing pavement will be milled and overlaid within the project limits. Pavement reconstruction areas, if required, will match existing pavement section based on pavement cores provided by the City of Binghamton.
- Permanent pavement markings will be developed for the intersection approaches within the project limits.
- It is assumed that the power source for the existing traffic signals will be sufficient to power the new traffic signals.

### Pedestrian Bridge

- It assumed the existing pedestrian bridge will be screened and tested for asbestos. Removal of the existing bridge will be studied and a cost estimate will be provided. Project costs and available funding will determine whether or not this structure will be removed as part of this project. Demolition plans and/or permits required to remove the existing bridge will be developed under a supplemental agreement.

### Geotechnical Assumptions

- It is assumed 3 pavement cores will be provided by the City of Binghamton.

### Environmental Testing

- It is assumed that one submission consisting of a project description, photos, and location map will be sufficient to obtain a "No Adverse Effect" determination from SHPO. If a detailed study is required this will be done under a supplemental agreement.
- It is assumed that no environmental permits will be necessary due to limited impacts within existing right-of-way. It is assumed that the existing pedestrian bridge will require asbestos screening and testing.
- The Smart Growth checklist prepared in the IPP will be reviewed and updated as needed.

- It is assumed that there won't be a significant change in LOS, therefore an Air Quality analysis won't be necessary.
- Due to the urban setting, it is assumed that a Visual Resource study will not be necessary.
- It is assumed that no environmental coordination will be required.

### **Right-of-Way Assumptions**

- No ROW acquisitions are anticipated.
- ROW and property lines will be based on tax map data and data provided by the City.

### **Miscellaneous Assumptions**

- The location of existing utilities shall be determined via ground survey supplemented by location plans provided by each utility owner. If underground exploration becomes necessary to locate existing vaults or any other utilities this will be done by a supplemental agreement.

### **Survey Technical Assumptions:**

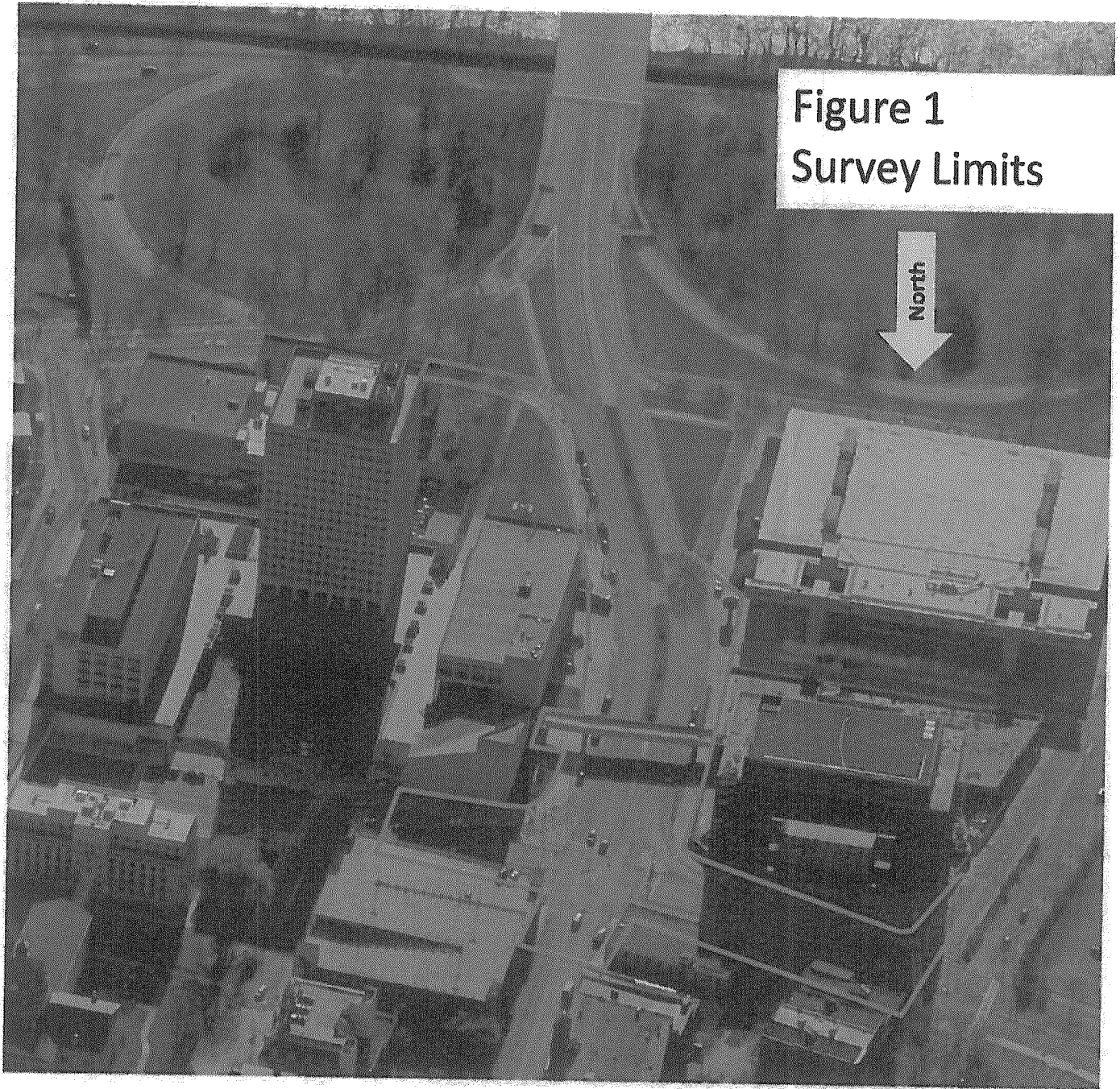
- 1) Access to the site and surrounding dam will not be impeded
- 2) Maintenance and Protection of Traffic during survey operation will be the modified DOT 'short-term-stationary' set up by the survey crew.
- 3) NYS DOL 'prevailing wages' do apply
- 4) Mapping limits will be as shown on Fig. 1
- 5) Units of measure will be US customary units.
- 6) Design mapping will be generated at a 1"= 20 foot scale with 1-foot contour intervals.
- 7) Assume 1 day of Supplemental Survey, mobilization and office processing and CAD time
- 8) Prudent will contact DigSafe NY and initiate a design ticket
- 9) The engineer will be responsible for the layout of borings.
- 10) Construction layout and or as-built survey is not included
- 11) Digital tax map files will be provided

# State Street Pedestrian Streetscape Improvements

PIN 9009.36

	Quant	Unit	Unit Price	Total
Mobil (4%)	NEC	LS	\$30,000.00	\$30,000.00
MP&T	NEC	LS	\$15,000.00	\$15,000.00
Storm Drain	NEC	LS	\$15,000.00	\$15,000.00
Conc Curb	2800	LF	\$25.00	\$70,000.00
Conc Sidewalk	200	SY	\$40.00	\$8,000.00
Remove Bridge (Not Included)				
Remove Tree and Shrub	10	EA	\$200.00	\$2,000.00
New Antique Traffic Signal Poles and Equipment	NEC	LS	\$250,000.00	\$250,000.00
Pavmt Profiling	5400	SY	\$4.00	\$21,600.00
Asphalt Pavement	450	TON	\$85.00	\$38,250.00
Precast Pavers or stamped colored concrete	5600	SF	\$12.00	\$67,200.00
Antique Lighting	10	EA	\$12,000.00	\$120,000.00
Landscaping	NEC	LS	\$30,000.00	\$30,000.00
Sediment & Erosion control	NEC	LS	\$5,000.00	\$5,000.00
Subtotal				\$672,050.00
Construction Contingency (15%)				\$100,807.50
Preliminary Construction Cost				\$772,857.50

**Figure 1**  
**Survey Limits**



# **Preliminary Design**

**EXHIBIT B**  
**State Street Pedestrian/Streetscape Improvements**



City of Binghamton  
Preliminary Design

Draft  
10/7/15

**FEE SUMMARY**

	DESIGN / PLANNING SERVICES	CONSTRUCTION SERVICES
1. DIRECT TECHNICAL LABOR	\$13,611.00	
2. ESTIMATED OVERHEAD EXPENSES AND PAYROLL BURDEN Based on Percentage of Direct Salary Cost (exclusive of Premium Pay) with the estimated Percentage being 175.00 %	\$23,819.25	
3. SUBTOTAL OF ITEMS 1 & 2	\$37,430.25	
4. FIXED FEE / PROFIT	\$5,614.54	
5. DIRECT EXPENSES	\$25.00	
6. SUBCONSULTANT COSTS	\$32,116.94	
Prudent Inc.	\$15,067	
Saratoga Associates	\$14,000	
C.T. Male	\$3,050	
7. SUBCONTRACT COSTS - (ESTIMATE )		
8. OVERTIME PREMIUM		
9. TOTAL FEE ESTIMATE	\$75,186.73	

10. TOTAL FEE FOR ALL SERVICES

**\$75,187**

NOTE: Authorized hours worked in excess of forty per week are subject to a premium time charge



# State Street Pedestrian/Streetscape Improvements

City of Binghamton  
Preliminary Design

Draft  
10/7/15



**McFarland Johnson**

## McFARLAND-JOHNSON LABOR RATES

### DIRECT TECHNICAL LABOR

<u>CLASSIFICATION</u>	<u>CURRENT AVG. RATE</u>	<u>PROJECT AVG. RATE</u>
Vice President (VP)	\$88.64	\$91.12
Regional Office/Division Manager (DM)	\$63.50	\$65.28
Senior Project Manager (SPM)	\$60.92	\$62.63
Sr. Project Engineer (SPE)	\$48.34	\$49.69
Project Engineer (PE)	\$43.50	\$44.72
Senior Engineer (SE)	\$36.65	\$37.68
Assistant Engineer (AE)	\$31.86	\$32.75
Junior Engineer (JE)	\$26.16	\$26.89
Senior Technician (ST)	\$29.12	\$29.94
Technician (T)	\$25.01	\$25.71
Assistant Technician (AT)	\$21.67	\$22.28
Junior Technician (JT)	\$14.40	\$14.80
Construction Supervisor / Resident Engineer (CS)	\$40.38	\$41.51
Senior Inspector (SI)	\$36.50	\$37.52
Inspector (I)	\$29.83	\$30.67

Assume Notice to Proceed: 10/15/2015  
Design Project Duration (months): 6  
Assume Salary Escalation: 4.0%

Year	Compounded Escalation Factor	% Work in year	Effective %
2015	1.000	30.0%	30.0%
2016	1.040	70.0%	72.8%
2017	1.082		
		100.0%	<b>102.8%</b>



State Street Pedestrian/Streetscape Improvements

City of Binghamton  
Preliminary Design

Draft  
10/7/15



ESTIMATED HOURS

PHASE/TASK	DESCRIPTION	HOURS BY CLASSIFICATION													SUM
		VP	DM	SPM	SPE	PE	SE	AE	JE	ST	T	JT	CS	SI	
		\$91.12	\$65.28	\$62.63	\$49.69	\$44.72	\$37.68	\$32.75	\$26.89	\$29.94	\$25.71	\$14.80	\$41.51	\$37.52	\$30.67
1.06	Meetings				8										8
1.07	Cost and Progress Reporting				6										6
2.04-2.06	Accident Data and Analysis / Traffic Counts / Capacity Anal.					24									24
3.01	Design Criteria				4										4
3.021	Selection of Design Alternatives				8										8
3.022-3.03	Detailed Evaluation of Alternatives / Cost Estimates					40		40		32					112
3.04-3.05	Preparation of Draft DAD / Advisory Agency Meeting					48				40					88
3.061-3.062	Public Information Meetings / Public Hearing					16				24					40
3.07	Preparation of Final DAD				24										24
4.01-4.02	NEPA Classification / SEQRA Classification							20							20
4.03	Smart Growth							2							2
4.04	Screenings and Preliminary Investigations							24							24
4.05	Detailed Studies and Analyses														
Total Hours - Design / Planning Services					26	128	24	86		96					360
Total Labor Cost - Design / Planning Services					\$1,292	\$5,724	\$904	\$2,817		\$2,874					\$13,611

# **Final Design**

**EXHIBIT B**  
**State Street Pedestrian/Streetscape Improvements**



City of Binghamton  
 Final Design

Draft  
 10/7/15

**FEE SUMMARY**

	DESIGN / PLANNING SERVICES	CONSTRUCTION SERVICES
1. DIRECT TECHNICAL LABOR	\$18,223.00	
2. ESTIMATED OVERHEAD EXPENSES AND PAYROLL BURDEN Based on Percentage of Direct Salary Cost (exclusive of Premium Pay) with the estimated Percentage being 175.00 %	\$31,890.25	
3. SUBTOTAL OF ITEMS 1 & 2	\$50,113.25	
4. FIXED FEE / PROFIT	\$7,516.99	
5. DIRECT EXPENSES	\$25.00	
6. SUBCONSULTANT COSTS	\$6,000.00	
Saratoga Associates	\$6,000	
7. SUBCONTRACT COSTS - (ESTIMATE )		
Subcontractor 1 Name Geotechnical Services		
8. OVERTIME PREMIUM		
9. TOTAL FEE ESTIMATE	\$63,655.24	

10. TOTAL FEE FOR ALL SERVICES

**\$63,656**

**NOTE:** Authorized hours worked in excess of forty per week are subject to a premium time charge

# State Street Pedestrian/Streetscape Improvements

City of Binghamton  
Final Design

Draft  
10/7/15



## McFARLAND-JOHNSON LABOR RATES

### DIRECT TECHNICAL LABOR

<u>CLASSIFICATION</u>	<u>CURRENT AVG. RATE</u>	<u>PROJECT AVG. RATE</u>
Vice President (VP)	\$88.64	\$92.19
Regional Office/Division Manager (DM)	\$63.50	\$66.04
Senior Project Manager (SPM)	\$60.92	\$63.36
Sr. Project Engineer (SPE)	\$48.34	\$50.27
Project Engineer (PE)	\$43.50	\$45.24
Senior Engineer (SE)	\$36.65	\$38.12
Assistant Engineer (AE)	\$31.86	\$33.13
Junior Engineer (JE)	\$26.16	\$27.21
Senior Technician (ST)	\$29.12	\$30.28
Technician (T)	\$25.01	\$26.01
Assistant Technician (AT)	\$21.67	\$22.54
Junior Technician (JT)	\$14.40	\$14.98
Construction Supervisor / Resident Engineer (CS)	\$40.38	\$42.00
Senior Inspector (SI)	\$36.50	\$37.96
Inspector (I)	\$29.83	\$31.02

Assume Notice to Proceed: 10/15/2015  
Design Project Duration (months): 4  
Assume Salary Escalation: 4.0%

Year	Compounded Escalation Factor	% Work in year	Effective %
2015	1.000		
2016	1.040	100.0%	104.0%
2017	1.082		
		100.0%	104.0%



State Street Pedestrian/Streetscape Improvements

City of Binghamton  
Final Design

Draft  
10/7/15



ESTIMATED HOURS

PHASE/TASK	DESCRIPTION	HOURS BY CLASSIFICATION														SUM
		VP	DM	SPM	SPE	PE	SE	AE	JE	ST	T	JT	CS	SI	I	
		\$92.19	\$66.04	\$63.36	\$50.27	\$45.24	\$38.12	\$33.13	\$27.21	\$30.28	\$26.01	\$14.98	\$42.00	\$37.96	\$31.02	
1.06	Meetings					8										8
1.07	Cost and Progress Reporting					4										4
6.02	Advance Detail Plans					28	120			152						300
6.03 & 6.08	Contract Documents / Information Transmittal					8	12			96						116
6.04	Cost Estimate								40	24						64
7.01-7.03	Advertisement / Bid Opening / Award					24										24
8.01	Construction Support															16
Total Hours - Design / Planning Services						72	148		40	272						532
Total Labor Cost - Design / Planning Services						\$3,257	\$5,642		\$1,088	\$8,236						\$18,223